

Caseload Reporting Requirements for District Court

Part 4: Case Age at Disposition, and Pending Case Age

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Agenda

- Caseload Management
- Time Guidelines AO 2003-07
- Caseload Part 4 Reporting Requirements
- Calculating Time
- Parts 1 & 2 relationship to Part 4
- Monitoring events and time requirements
- Case management reports
- Exercise

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Participant Roles

- Judge
- Court Administrator
- Scheduling Clerk/Assignment Clerk
- Case Processing Clerk

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First of all, the basics....

CASEFLOW MANAGEMENT 101

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What Is Caseflow Management ?

It is **court supervision** of the progress of all cases filed in the court. It includes

**management of both time and events
from case initiation through disposition,
including post-judgment activity.**

It requires:

- early court intervention,
- establishing meaningful events and timeframes,
- and creating a judicial system that is predictable to its users.

In a predictable system, events occur on the **first** date scheduled by the court.

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What the
American Bar Association
Has to Say About
Court Delay Reduction

Standard 2.50

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- From the commencement of litigation to its resolution, whether by trial or settlement, any elapsed time other than reasonably required for pleadings, discovery, and court events is unacceptable and should be eliminated.

■ And....

7

- To enable just and efficient resolution of cases, **the court**, not the lawyers or litigants, should control the pace of litigation.

■ And....

8

- A strong **judicial commitment is essential** to reducing delay, and once achieved, maintaining a current docket.

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Why Do I Need to Know This?

- Supreme Court Administrative Order 2003-07 takes effect 1/1/04
- All courts must develop a local administrative order by 12/1/2004
- YOU will have to implement local procedures
- YOU will be monitoring cases
- YOU will be responsible for reporting your court's data to SCAO

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What's This LAO Thing?

- Caseflow Management Plan developed by your court
- Approved by SCAO
- Implemented by you, your judge(s), and other court staff
- Monitored by the court
- Statistics on case age reported to SCAO
 - Caseload Part 4

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What's Supposed To Be In It?

- Goals of the court
- Time guidelines set forth in ADM 2003-7
- Scheduling policy
- Adjournment policy (MCR 2.503(B))
- Promotion of ADR
- Court procedure for pretrial scheduling orders
- Court policy/procedure for settlement or final pretrial conferences
- Court procedure for trial scheduling and management
- What monitoring systems the court will use to ensure it is meeting the time guidelines
- How the court will implement it's caseflow management plan

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What Do I Have To Do?

- Requires early court intervention
- Requires scheduling “meaningful” events
- Requires maintaining timeframes
- Requires training yourself and others to keep an open mind
- Requires YOU to buy in to the idea that events should occur on the *FIRST* date that you schedule

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What's In It For Me?

- Easier to schedule court dates
- Easier to know when an attorney is abusing the court's adjournment policy
- The court may impose costs and conditions upon abusing party
- Allows you to evaluate the job you and your judge(s) are doing
- Gives you back-up when you schedule

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Now moving on....

Caseload Part 4

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When Does Part 4 Start ?

- Beginning January 1, 2005 you will begin keeping case age statistics.
- After December 31, 2005 you will report:
 - 4th Quarter Parts 1 and 2
 - Part 4
- Deadline to report: January 30, 2006

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What Do You Report ?

- Report statistics by **Each Case Type Code** (21) for each time interval.
 - **Age** of all PENDING CASES as of December 31, 2005, excluding cases currently in Inactive Status using definitions in Part 2.
 - **Age** of all DISPOSED CASES January 1 – December 31, 2005, including all cases reported disposed using definitions in Part 2.

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There's more...

- Statistics reported by **Bar Number**
 - Each attorney judicial officer reported separately.
 - judges and attorney magistrates
 - Visiting judges assigned by SCAO: report either under originally assigned judge, or visiting judge's bar number.

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If You Have...

- Cases unassigned, assigned to a non-attorney magistrate, or assigned to a clerk
 - Report together under a generic number assigned by SCAO

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How Does Part 4 Relate to Parts 1 & 2 ?

- Pending by Case Type Code
 - Total Part 1
 - Total Part 2
 - Total Pending Part 4
- Disposed by Case Type Code
 - Total Disposed Part 2
 - Inactive and Case Type Change
 - Total Disposed Part 4

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The Good News Is...

CRS will do the math !

BUT...

You cannot have a difference of more than 2 cases in any case type code

UNLESS...

The difference is less than 5% of the total for that case type code

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For Example:

Part 2 dispositions = 250

Part 4 dispositions = 240

Difference = **10**

(UH Oh ... more than 2 cases!)

BUT

$10/250 = 4.0\%$

So you're OK !!

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So I Have the Numbers... Now What Do I Do With Them?

You are SO lucky!

Now you get to report them to SCAO
through CRS!!!

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How Do I Do That ?

- Manual
- Electronic Upload
 - Contact your software vendor and your local Information Systems/Data Processing Department for assistance

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Manual Reporting Impact

Part 1	56 fields
Part 2	<u>176 fields</u>
	232 fields
Part 4 Pending	90 fields
Part 4 Disposed	<u>90 fields</u>
Part 4 Total	180 fields *

***Per each judge, each visiting judge, and each attorney magistrate PLUS all unassigned cases, cases handled by clerks, and cases handled by non-attorney magistrates.**

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Multiple Reporting Per Case

- Disposed, reopened and disposed in same year: reported twice in Case Age at Disposition report.
- Disposed and reopened during year, pending at end of year: reported once on Case Age at Disposition and once in Pending Case Age.

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How Do You Calculate Time ?

MCR 1.108(1)

The day of the act, event, or default is **not** included.

The last day of the period **is** included, **unless** it is a Saturday, Sunday, legal holiday, or holiday on which the court is closed pursuant to court order.

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Give Me An Example...

Joe Moneybags wasn't happy with his January 14, 2005 General Civil Judgment because he no longer had lots of bucks. He appealed. June 10th the circuit court remanded the case for a new trial. A new judgment was entered October 3, 2005.

How Is This Reported?

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It Goes Here....

It is reported two times in the Case Age at Disposition section of Part 4.

- 1: Age at disposition January 14, 2005
AND
- 2: Age at disposition October 3, 2005

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Like This...

Joe's case was:

100 days old at January 14th disposal
146 days disposed (Jan. 16 – June 10)
115 days old at October 3rd disposal
361

You report:

100 days old at January 14th disposal
215 days old at October 3rd disposal
(361 – 146 = 215)

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How About This Case?

On Saturday, October 1, 2005, Sam Psycho was charged with domestic violence against his girlfriend, Katie Kutie. The arraignment was October 2, 2005 and a pretrial hearing date was set for October 14, 2005. Sam skipped bond and a warrant was issued that day. He was arrested and arraigned December 15, 2005 and the pretrial hearing date is January 2, 2006.

Where Is This Reported?

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It Goes Here...

It is reported:

on Case Age at Disposition in Part 4, and
on Pending Case Age in Part 4.

- 1: Age at disposition on October 14, 2005
AND
- 2: Pending case age at December 31,
2005

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Like This...

Sam's case was:

12 days old at October 14, 2005 disposal
61 days disposed (10/15/05 – 12/15/05)
15 days old on December 31, 2005 (12/16 –
88 12/31)

You report:

12 days old at October 15, 2005 disposal
27 days old Pending Case Age at 12/31/05
(88 – 61 = 27)

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How Do I Calculate Case Age ?

Civil, including Civil Infractions

- Begin with date of filing of the complaint or citation.
- Subtract period(s) of time while case is in Inactive Status using criteria in Part 2.
- End with disposition date, or if pending, end with
 - current date if calculating mid-year, or
 - December 31 if calculating for end-of-year report.

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How About for Felonies and Misdemeanors ?

- Begin with date defendant first appears before the court.
Appearance is defined as:
 - Arraignment Held (or waived in writing if allowed)
 - Absent Arraignment, Appearance = Payment (for payable misdemeanors)
- Subtract period(s) of time while case is in Inactive Status using criteria in Part 2.
- End with disposition date, or if pending, end with current date.

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Scheduling Requirements

- Civil
 - Land Contract Forfeiture; MCL 600.5735
 - Landlord Tenant; MCL 600.5735
 - Small Claims; MCL 600.8406
 - Notice of Trial; MCR 2.501
 - Scheduling Order
 - Priority of criminal case over civil; MCR 6.004(B)

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Significant Events

Civil (Dates Apply to Each Party)

- Date complaint filed with court
- Date summons expires, including 2nd summons
- Date of service
 - Dismissal for No Service, MCR 2.102
- Date answer filed with court
 - Default, MCR 2.603
- Date of each event/hearing
 - Dismissal for No Progress, MCR 2.502
- Date of disposition
- Date case reopened

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Significant Events

Civil Infraction

- Date of offense
- Date of complaint if different from offense
- Date citation filed with the court
- Date due
 - Default; MCL 257.745, MCR 4.101, 600.8715, 600.8815
- Date of appearance
- Date of each event/hearing
- Date of disposition (Part 2)
- Date case reopened (Part 1)

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More Scheduling Requirements

- Criminal
 - Speedy Trial; MCL 768.1, Michigan Constitution Article 1, § 20, MCR 6.004
 - Violation of Conditional Release; MCL 764.15e
 - Preliminary Examination; MCL 766.4, 766.1
 - Operating While Intoxicated; MCL 257.625b
 - Scheduling Order

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Significant Events

Felony and Misdemeanor

- Date of first appearance
- Date of each event/hearing
- Incarceration; Recognizance Release; MCR 6.004
- MCR 8.110(D)(5)(c) report; misdemeanor untried within 180 days
- Date of disposition
- Date case reopened

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Impediments to Meeting Time Guidelines

- Backlogs
 - Processing pleadings
- Internal Procedures
 - Internal "pass-offs" between staff
 - Batching
 - Difficulty confirming dates with parties
 - Approval to schedule required from another person (judge, judicial secretary, etc.)
 - Hearings

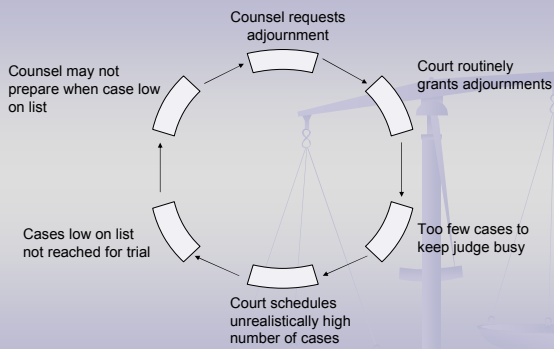
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More Impediments...

- Adjournments MCR 2.503
 - Attorney unavailable
 - Witness unavailable
 - Court Rule not followed
 - Which party is requesting & reason
 - Number of other adjournments granted
 - Entitlement "Plaintiff's Request for Third Adjournment"
 - Goal – 15% or less

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The Adjournment Dilemma



Adapted from: Maureen Solomon, *Caseload Management in the Trial Court*, ABA, 1973

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More Impediments...

- Reluctance to assist bench-mates when schedule would allow
- Master Calendar
 - Days certain for specific events or case types not pre-determined or of insufficient number
 - Entire day devoted to jury trials

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Jury Verdicts

- Average 5.9 per district judge in 2003
- Cases Disposed by Jury Verdict

			Total Jury Statewide
■ FT/FT/FD*	1 in	6,522	13
■ SM/OM	1 in	299	960
■ ST/OT	1 in	2,512	136
■ SD/OD	1 in	93	349
■ GC/GZ	1 in	373	87
■ LT/SP	1 in	12,268	20

*Reduced to a misdemeanor, or felony dismissed and jury verdict rendered on misdemeanor count.

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More Impediments...

- Civil
 - Frequency of dismissals for no service and no progress
 - Failure to enter default by clerk for no answer
- Civil Infraction
 - Default
 - Court Policy on Date/Days to Respond
 - Court Policy on Extensions
 - Court runs late notices less than daily
- Misdemeanor
 - Appearance
 - Court Policy on Date/Days to Respond to payables

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Performance Indicators

- Measures of Delay
 - Age of Pending Caseload and Time to Disposition
 - Scheduling practices
 - System errors
 - Time increment comparisons (quarter by quarter)
 - Proactive management (regular review of data)
 - Monitoring time between events

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More Performance Indicators

- Measures of Activity: by case type code or small group
 - Aggregate filings and dispositions
 - Clearance Rate
 - Number of trials, pleas, dismissals, settlements, etc., and time lapsed
 - Number of adjournments; by whom, reason

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More Performance Indicators

- Case Scheduling Measures
 - Number of cases scheduled before each judicial officer during specified time period
 - Number settled before trial
 - Number that went to trial; bench, jury
 - Number adjourned
 - Number still pending
 - Number disposed
- Evaluation of procedures against goals
 - Requires information prior to changes

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More Performance Indicators

- Case Management Reports
 - Time Guidelines Reports
 - Percentage of cases disposed and pending by case type code calculated based upon total cases available during the time period.

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Performance Indicator Example

Time Guidelines Report Example: Case Type Code SM

		Cases	Percent
A	Disposed within 63 days (20 cases)	20	12.2
B	Disposed within 91 days (21 cases)	41 (cumulative)	29.5
C	Disposed within 126 days (22 cases)	63 (cumulative)	55.8
D	Disposed after 126 days	23	
E	Pending aged 64-91 days	25	
F	Pending aged 92-126 days	26	
G	Pending over 126 days	27	
	A % = A/C+D+E+F+G		
	B % = B/C+D+F+G		
	C % = C/C+D+G		

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More Performance Indicators

- Case Management Reports, contd.
 - Civil Cases Ready for Trial
 - Pre-lists for Dismissal for No Progress and No Service and for Default for No Answer
 - Events Passed or Missing, Expired Activity
 - Case status sorted by event code
 - Hold, Time to Pay, Extension, Under Advisement
 - Incarcerated Misdemeanor Defendants
 - Speedy Trial Report
 - Drunk Driving Report
 - Disposed and Pending Inventory Lists
 - Ad Hoc Reports (query, report generator)

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Pending Inventory

- Conduct only if court is **NOT** regularly reviewing available case management reports
 - Conclude by December 31, 2004
 - Ensure no case exists without a future action date
 - Schedule next event when missing
 - Update all records to reflect current status

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An Exercise For You...

Using the reports available to you, identify cases which need attention. Determine what your course of action should be.

After you've completed, can you think of any policies or procedures that could help you improve the progress of cases towards disposition?

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American Bar Association
Standard 2.50
Court Delay Reduction

- From the commencement of litigation to its resolution, whether by trial or settlement, any elapsed time other than reasonably required for pleadings, discovery, and court events is unacceptable and should be eliminated.
- To enable just and efficient resolution of cases, the court, not the lawyers or litigants, should control the pace of litigation.
- A strong judicial commitment is essential to reducing delay, and once achieved, maintaining a current docket.

Order

Entered: December 2, 2003

ADM File No. 2003-23

Administrative Order 2003-7
Caseflow Management Guidelines

Michigan Supreme Court
Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

On order of the Court, notice of the proposed order and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, this administrative order is adopted, effective January 1, 2004.

The management of the flow of cases in the trial court is the responsibility of the judiciary. In carrying out that responsibility, the judiciary must balance the rights and interests of individual litigants, the limited resources of the judicial branch and other participants in the justice system, and the interests of the citizens of this state in having an effective, fair, and efficient system of justice.

Accordingly, on order of the Court,

- A. The State Court Administrator is directed, within available resources, to:
 - 1. assist trial courts in implementing caseflow management plans that incorporate case processing time guidelines established pursuant to this order;
 - 2. gather information from trial courts on compliance with caseflow management guidelines; and
 - 3. assess the effectiveness of caseflow management plans in achieving the guidelines established by this order.
- B. Trial courts are directed to:
 - 1. maintain current caseflow management plans consistent with case processing time guidelines established in this order, and in cooperation with the State Court Administrative Office;
 - 2. report to the State Court Administrative Office caseflow management statistics and other caseflow management data required by that office; and

3. cooperate with the State Court Administrative Office in assessing caseload management plans implemented pursuant to this order.

On further order of the Court, the following time guidelines for case processing are provided as goals for the administration of court caseloads. These are only guidelines and are not intended to supersede procedural requirements in court rules or statutes for specific cases, or to supersede reporting requirements in court rules or statutes.

Note: The phrase "adjudicated" refers to the date a case is reported in Part 2 of the caseload report forms and instructions. Aging of a case is suspended for the time a case is inactive as defined in Parts 2 and 4 of the caseload report forms and instructions. Refer to these specific definitions for details.

Probate Court Guidelines.

1. *Estate, Trust, Guardianship, and Conservatorship Proceedings.* 75% of all contested matters should be adjudicated within 182 days from the date of the filing of objection; 90% within 273 days; and 100% within 364 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.
2. *Mental Illness Proceedings; Judicial Admission Proceedings.* 90% of all petitions should be adjudicated within 14 days from the date of filing and 100% within 28 days.
3. *Civil Proceedings.* 75% of all cases should be adjudicated within 364 days from the date of case filing; 95% within 546 days; and 100% within 728 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.
4. *Miscellaneous Proceedings.* 100% of all petitions should be adjudicated within 35 days from the date of filing.

District Court Guidelines.

1. *Civil Proceedings.*
 - a. General Civil. 90% of all general civil and miscellaneous civil cases should be adjudicated within 273 days from the date of case filing; 98% within 364 days; and 100% within 455 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.
 - b. Summary Civil. 100% of all small claims, landlord/tenant, and land contract actions should be adjudicated within 126 days from the date of case filing except, in those cases where a jury is demanded, actions should be adjudicated within 154 days from the date of case filing.
2. *Felony, Misdemeanor, and Extradition Detainer Proceedings.*
 - a. Misdemeanor. 90% of all statute and ordinance misdemeanor cases, including misdemeanor drunk driving and misdemeanor traffic, should be adjudicated within 63 days from the date of first appearance; 98% within 91 days; and 100% within 126 days.
 - b. Felony and Extradition/Detainer. 100% of all preliminary examinations in felony, felony drunk driving, felony traffic, and extradition/detainer cases should be commenced within 14 days of arraignment unless good cause is shown.
3. *Civil Infraction Proceedings.* 90% of all civil infraction cases, including traffic, nontraffic, and parking cases, should be adjudicated within 35 days from the date of filing; 98% within 56 days; and 100% within 84 days.

Circuit Court Guidelines.

1. *Civil Proceedings.* 75% of all cases should be adjudicated within 364 days from the date of case filing; 95% within 546 days; and 100% within 728 days except for individual cases in which the court determines exceptional circumstances exist and for which a continuing review should occur.
2. *Domestic Relations Proceedings.*

- a. Divorce Without Children. 90% of all divorce cases without children should be adjudicated within 91 days from the date of case filing; 98% within 273 days; and 100% within 364 days.
 - b. Divorce With Children. 90% of all divorce cases with children should be adjudicated within 245 days from the date of case filing; 98% within 301 days; and 100% within 364 days.
 - c. Paternity. 90% of all paternity cases should be adjudicated within 147 days from the date of case filing and 100% within 238 days.
 - d. Responding Interstate for Registration. 100% of all incoming interstate actions should be filed within 24 hours of receipt of order from initiating state.
 - e. Responding Interstate Establishment. 90% of all incoming interstate actions to establish support should be adjudicated within 147 days from the date of case filing and 100% within 238 days.
 - f. Child Custody Issues, Other Support, and Other Domestic Relations Matters. 90% of all child custody, other support, and other domestic relations issues not listed above should be adjudicated within 147 days from the date of case filing and 100% within 238 days.
3. *Delinquency Proceedings.* Where a minor is being detained or is held in court custody, 90% of all original petitions or complaints should have adjudication and disposition completed within 84 days from the authorization of the petition and 100% within 98 days. Where a minor is not being detained or held in court custody, 75% of all original petitions or complaints should have adjudication and disposition completed within 119 days from the authorization of the petition; 90% within 182 days; and 100% within 210 days.
4. *Child Protective Proceedings.* Where a child is in out-of-home placement (foster care), 90% of all original petitions should have adjudication and disposition completed within 84 days from the authorization of the petition and 100% within 98 days. Where a child is not in out-of-home placement (foster care), 75% of all original petitions should have adjudication and disposition within 119 days from the authorization of the petition; 90% within 182 days; and 100% within 210 days.

5. *Designated Proceedings.* 90% of all original petitions should be adjudicated within 154 days from the designation date and 100% within 301 days. Minors held in custody should be afforded priority for trial.
6. *Juvenile Traffic and Ordinance Proceedings.* 90% of all citations should have adjudication and disposition completed within 63 days from the date of first appearance; 98% within 91 days; and 100% within 126 days.
7. *Adoption Proceedings.*
 - a. Petitions for Adoption. 90% of all petitions for adoption should be finalized or otherwise concluded within 287 days from the date of filing and 100% within 364 days.
 - b. Petitions to Rescind Adoption. 100% of all petitions to rescind adoption should be adjudicated within 91 days from the date of filing.
8. *Miscellaneous Family Proceedings.*
 - a. Name Change. 100% of all petitions should be adjudicated within 91 days from the date of filing.
 - b. Safe Delivery. 100% of all petitions should be adjudicated within 273 days from the date of filing.
 - c. Personal Protection. 100% of all petitions filed ex parte should be adjudicated within 24 hours of filing. 90% of all petitions not filed ex parte should be adjudicated within 14 days from the date of filing and 100% within 21 days.
 - d. Emancipation of Minors. 100% of all petitions should be adjudicated within 91 days from the date of filing.
 - e. Infectious Diseases. 100% of all petitions should be adjudicated within 91 days from the date of filing.
 - f. Parental Waiver. 100% of all petitions should be adjudicated within 5 days from the date of filing.

9. *Ancillary Proceedings.*

- a. Guardianship and Conservatorship Proceedings. 75% of all contested matters should be adjudicated within 182 days from the date of filing; 90% within 273 days; and 100% within 364 days.
- b. Mental Illness Proceedings; Judicial Admission. 90% of all petitions should be adjudicated within 14 days from the date of filing and 100% within 28 days.

10. *Criminal Proceedings.* 90% of all felony cases should be adjudicated within 91 days from the date of entry of the order binding the defendant over to the circuit court; 98% within 154 days; and 100% within 301 days. Incarcerated persons should be afforded priority for trial.

11. *Appellate, Administrative Review, and Extraordinary Writ Proceedings.*

- a. Appeals from Courts of Limited Jurisdiction. 100% of all appeals to circuit court from courts of limited jurisdiction should be adjudicated within 182 days from the filing of the claim of appeal.
- b. Appeals from Administrative Agencies. 100% of all appeals to the circuit court from administrative agencies should be adjudicated within 182 days from the filing of the claim of appeal.
- c. Extraordinary Writs. 98% of all extraordinary writ requests should be adjudicated within 35 days from the date of filing and 100% within 91 days.

12. *Matters Submitted to the Judge.* Matters under submission to a judge or judicial officer should be promptly determined. Short deadlines should be set for presentation of briefs and affidavits and for production of transcripts. Decisions, when possible, should be made from the bench or within a few days of submission; otherwise a decision should be rendered no later than 35 days after submission.

Administrative Order No. 1991-4 is rescinded.

Staff Comment: In response to jurisdictional changes in the courts and changes in court rules and statutes, Administrative Order 2003-7, adopted December 2, 2003, to be effective January 1, 2004, updated caseflow management guidelines originally created by Supreme Court Administrative Order No. 1991-4.

The staff comment is not an authoritative construction by the Court.



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 2, 200⁷3

Corbin R. Davis

Clerk

DISTRICT COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

General Reporting Instructions: These reports are to be submitted **annually** with the 4th quarter of Parts 1 and 2. Case age measurement occurs at different stages of a case depending on case type. Refer to specific instructions to determine measurement criteria for each case type. **Disposition is based on the definitions in Part 2.**

Each judge and attorney magistrate of a court shall report their case data individually by bar number. When cases from a judge's caseload are assigned to a judge of another court by the SCAO, the court must still report them; however, it is at their discretion whether they report assigned cases under the bar number of the original judge or under the bar number of the assigned judge. Do not report them under both. Cases that are assigned to a non-attorney magistrate or that are not assigned to either a judge or magistrate are to be reported under a "generic" bar number identifier "P999999."

Cases that have been reported disposed under "Inactive Status" (as defined by that line in Part 2 of the caseload instructions) **are not adjudicated and shall not be reported on these case age reports under either the column for pending or for disposition.** Once a case that has been on "inactive status" qualifies for reporting as "reopened" based on the instructions in Part 1, it must be reported on these case age reports as either pending or disposed according to its status as of December 31 of the reporting year; however, when calculating the age of the case, **subtract the time that particular case was out of the court's control on "inactive status"**. Also, any other case that is reopened must be reported on these case age reports as either pending or disposed according to its status as of December 31 of the reporting year with the age calculated by **subtracting the time from the original disposition of that particular case to the reopen date.**

"Inactive Status" defined: A case is on "inactive status" when it has been disposed as inactive based upon the guidelines in Part 2. Delays caused for any other reason are not subtracted from the time. As stated previously, the age of a case while on inactive status shall not be reported under columns for pending or for disposition.

Although case type codes are organized in groupings, cases associated with each case type code are to be reported separately throughout this entire report. For example, although FY and EX are combined, FY cases should be reported under its own column, EX cases should be reported under its own column, etc.

NOTE: The total number of disposed cases reported in Part 4 (**except for Lines 1a and 2a on pages 18 and 21**) must equal the total number of disposed cases reported in Part 2 less cases disposed by methods "Inactive Status" and "Case Type Change". The number of pending cases reported in Part 4 must equal the ending pending cases calculated from the data provided in Parts 1 and 2.

DISTRICT COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION A: FELONY CRIMINAL

Measurement begins on the date of first appearance on the complaint and warrant or citation and is completed when disposition (as defined in Part 2, Section A) occurs. First appearance means arraignment date (meaning, the arraignment occurred). If no arraignment date is present and the case has not been made inactive as defined in Part 2, Section A, then the age of the case is calculated as zero.

Line	CASE TYPE	FY
1	Disposed 0-14 Days	
2	Disposed +14 Days	
3	Disposed 0-63 Days	
4	Disposed 64-91 Days	
5	Disposed 92-126 Days	
6	Disposed +126 Days	
7	Pending 0-14 Days	
8	Pending +14 Days	
9	Pending 0-63 Days	
10	Pending 64-91 Days	
11	Pending 92-126 Days	
12	Pending +126 Days	

Line 1: Count the number of cases where preliminary examination was held with 14 days of arraignment and bound over to circuit court or dismissed. Include cases dismissed within 14 days of arraignment where no preliminary examination was held.

Line 2: Count the number of cases where preliminary examination was held after 14 days of arraignment and bound over to circuit court or dismissed. Include cases dismissed after 14 days of arraignment where no preliminary examination was held.

Line 3: Count the number of felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) that were disposed within 63 days.

Line 4: Count the number of felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) that were disposed from 64 to 91 days.

Line 5: Count the number of felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) that were disposed from 92 to 126 days.

Line 6: Count the number of felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) that were disposed after 126 days.

Line 7: Count the number of pending felony cases awaiting preliminary examination with an age through 14 days.

Line 8: Count the number of pending felony cases awaiting preliminary examination with an age over 14 days.

Line 9: Count the number of pending felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) with an age through 63 days.

Line 10: Count the number of pending felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) with an age of 64 to 91 days.

Line 11: Count the number of pending felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) with an age of 92 to 126 days.

Line 12: Count the number of pending felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) with an age over 126 days.

1a	Reduced 0-14 Days	
2a	Reduced +14 Days	

Line 1a: Count the number of cases where preliminary examination was held within 14 days of arraignment and the case was reduced to a misdemeanor.

Line 2a: Count the number of cases where preliminary examination was held after 14 days of arraignment and the case was reduced to a misdemeanor.

DISTRICT COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION A: EXTRADITION/DETAINDER

Measurement begins on the date of first appearance on the complaint and warrant or citation and is completed when disposition (as defined in Part 2, Section A) occurs. First appearance means arraignment date (meaning, the arraignment occurred). If no arraignment date is present and the case has not been made inactive as defined in Part 2, Section A, then the age of the case is calculated as zero.

Line	CASE TYPE	EX
13	Disposed 0-14 Days	
14	Disposed +14 Days	
15	Pending 0-14 Days	
16	Pending +14 Days	

Line 13: Count the number of cases where an extradition/detainer hearing was held or the hearing was waived within 14 days of arraignment.

Line 14: Count the number of cases where an extradition/detainer hearing was held or the hearing was waived after 14 days of arraignment.

Line 15: Count the number of pending cases awaiting extradition/detainer hearing with an age through 14 days.

Line 16: Count the number of pending cases awaiting extradition/detainer hearing with an age over 14 days.

DISTRICT COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION A: MISDEMEANOR CRIMINAL

Measurement begins on the date of first appearance on the complaint and warrant or citation and is completed when disposition (as defined in Part 2, Section A) occurs. First appearance means arraignment date (meaning, the arraignment occurred). If no arraignment date is present, then appearance date means payment date (meaning, a payable citation has had a payment applied). If no payment date is present and the case has not been made inactive as defined in Part 2, Section A, then the age of the case is calculated as zero. There is no need to differentiate between complaint and warrant cases and cases initiated by citation.

Line	CASE TYPE	OM, SM
17	Disposed 0-63 Days	
18	Disposed 64-91 Days	
19	Disposed 92-126 Days	
20	Disposed +126 Days	
21	Pending 0-63 Days	
22	Pending 64-91 Days	
23	Pending 92-126 Days	
24	Pending +126 Days	

Line 17: Count the number of cases that were disposed within 63 days.

Line 18: Count the number of cases that were disposed from 64 to 91 days.

Line 19: Count the number of cases that were disposed from 92 to 126 days.

Line 20: Count the number of cases that were disposed after 126 days.

Line 21: Count the number of pending cases with an age through 63 days.

Line 22: Count the number of pending cases with an age of 64 to 91 days.

Line 23: Count the number of pending cases with an age of 92 to 126 days.

Line 24: Count the number of pending cases with an age over 126 days.

DISTRICT COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION B: FELONY TRAFFIC

Measurement begins on the date of first appearance on the complaint and warrant or citation and is completed when disposition (as defined in Part 2, Section B) occurs. First appearance means arraignment date (meaning, the arraignment occurred). If no arraignment date is present and the case has not been made inactive as defined in Part 2, Section B, then the age of the case is calculated as zero.

Line	CASE TYPE	FD, FT
1	Disposed 0-14 Days	
2	Disposed +14 Days	
3	Disposed 0-63 Days	
4	Disposed 64-91 Days	
5	Disposed 92-126 Days	
6	Disposed +126 Days	
7	Pending 0-14 Days	
8	Pending +14 Days	
9	Pending 0-63 Days	
10	Pending 64-91 Days	
11	Pending 92-126 Days	
12	Pending +126 Days	

Line 1: Count the number of cases where preliminary examination was held with 14 days of arraignment and bound over to circuit court or dismissed. Include cases dismissed within 14 days of arraignment where no preliminary examination was held.

Line 2: Count the number of cases where preliminary examination was held after 14 days of arraignment and bound over to circuit court or dismissed. Include cases dismissed after 14 days of arraignment where no preliminary examination was held.

Line 3: Count the number of felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) that were disposed within 63 days.

Line 4: Count the number of felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) that were disposed from 64 to 91 days.

Line 5: Count the number of felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) that were disposed from 92 to 126 days.

Line 6: Count the number of felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) that were disposed after 126 days.

Line 7: Count the number of pending felony cases awaiting preliminary examination with an age through 14 days.

Line 8: Count the number of pending felony cases awaiting preliminary examination with an age over 14 days.

Line 9: Count the number of pending felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) with an age through 63 days.

Line 10: Count the number of pending felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) with an age of 64 to 91 days.

Line 11: Count the number of pending felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) with an age of 92 to 126 days.

Line 12: Count the number of pending felony cases that became misdemeanor cases (due to reduction in or dismissal of felony charge) with an age over 126 days.

1a	Reduced 0-14 Days	
2a	Reduced +14 Days	

Line 1a: Count the number of cases where preliminary examination was held within 14 days of arraignment and the case was reduced to a misdemeanor.

Line 2a: Count the number of cases where preliminary examination was held after 14 days of arraignment and the case was reduced to a misdemeanor.

DISTRICT COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION B: MISDEMEANOR TRAFFIC

Measurement begins on the date of first appearance on the complaint and warrant or citation and is completed when disposition (as defined in Part 2, Section B) occurs. First appearance means arraignment date (meaning, the arraignment occurred). If no arraignment date is present, then appearance date means payment date (meaning, a payable citation has had a payment applied). If no payment date is present and the case has not been made inactive as defined in Part 2, Section B, then the age of the case is calculated as zero. There is no need to differentiate between complaint and warrant cases and cases initiated by citation.

Line	CASE TYPE	OD, OT SD, ST
13	Disposed 0-63 Days	
14	Disposed 64-91 Days	
15	Disposed 92-126 Days	
16	Disposed +126 Days	
17	Pending 0-63 Days	
18	Pending 64-91 Days	
19	Pending 92-126 Days	
20	Pending +126 Days	

Line 13: Count the number of cases that were disposed within 63 days.

Line 14: Count the number of cases that were disposed from 64 to 91 days.

Line 15: Count the number of cases that were disposed from 92 to 126 days.

Line 16: Count the number of cases that were disposed after 126 days.

Line 17: Count the number of pending cases with an age through 63 days.

Line 18: Count the number of pending cases with an age of 64 to 91 days.

Line 19: Count the number of pending cases with an age of 92 to 126 days.

Line 20: Count the number of pending cases with an age over 126 days.

DISTRICT COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION B: CIVIL INFRACTION TRAFFIC

Measurement begins on the date the original citation is filed and is completed when disposition (as defined in Part 2, Sections B) occurs.

Line	CASE TYPE	OI, SI
21	Disposed 0-35 Days	
22	Disposed 36-56 Days	
23	Disposed 57-84 Days	
24	Disposed +84 Days	
25	Pending 0-35 Days	
26	Pending 36-56 Days	
27	Pending 57-84 Days	
28	Pending +84 Days	

Line 21: Count the number of cases disposed within 35 days.

Line 22: Count the number of cases disposed from 36 to 56 days.

Line 23: Count the number of cases disposed from 57 to 84 days.

Line 24: Count the number of cases disposed after 84 days.

Line 25: Count the number of pending cases with an age through 35 days.

Line 26: Count the number of pending cases with an age of 36 to 56 days.

Line 27: Count the number of pending cases with an age of 57 to 84 days.

Line 28: Count the number of pending cases with an age over 84 days.

SECTION C: NON-TRAFFIC CIVIL INFRACTION AND PARKING

Measurement begins on the date the original citation is filed and is completed when disposition (as defined in Part 2, Sections C) occurs.

Line	CASE TYPE	OK, ON, SK, SN
1	Disposed 0-35 Days	
2	Disposed 36-56 Days	
3	Disposed 57-84 Days	
4	Disposed +84 Days	
5	Pending 0-35 Days	
6	Pending 36-56 Days	
7	Pending 57-84 Days	
8	Pending +84 Days	

Line 1: Count the number of cases disposed within 35 days.

Line 2: Count the number of cases disposed from 36 to 56 days.

Line 3: Count the number of cases disposed from 57 to 84 days.

Line 4: Count the number of cases disposed after 84 days.

Line 5: Count the number of pending cases with an age through 35 days.

Line 6: Count the number of pending cases with an age of 36 to 56 days.

Line 7: Count the number of pending cases with an age of 57 to 84 days.

Line 8: Count the number of pending cases with an age over 84 days.

DISTRICT COURT CASELOAD - PART 4: CASE AGE AT DISPOSITION AND PENDING CASE AGE

SECTION D: CIVIL

Line	CASE TYPE	GC, GZ
1	Disposed 0-273 Days	
2	Disposed 274-364 Days	
3	Disposed 365-455 Days	
4	Disposed +455 Days	
5	Pending 0-273 Days	
6	Pending 274-364 Days	
7	Pending 365-455 Days	
8	Pending +455 Days	

Measurement begins on the date of case filing and is completed when disposition (as defined in Part 2, Section D) occurs.

Line 1: Count the number of cases disposed within 273 days.

Line 2: Count the number of cases disposed from 274-364 days.

Line 3: Count the number of cases disposed from 365-455 days .

Line 4: Count the number of cases disposed after 455 days.

Line 5: Count the number of pending cases with an age through 273 days.

Line 6: Count the number of pending cases with an age of 274 to 364 days.

Line 7: Count the number of pending cases with an age of 365 to 455 days.

Line 8: Count the number of pending cases within an age over 455 days.

Line	CASE TYPE	LT, SC, SP
9	Disposed 0-126 Days	
10	Disposed +126 Days	
11	Disposed 0-154 Days Jury Verdict	
12	Disposed +154 Days Jury Verdict	
13	Pending 0-126 Days	
14	Pending +126 Days	
15	Pending 0-154 Days Jury Demand	
16	Pending +154 Days Jury Demand	

Measurement begins on the date of case filing and is completed when disposition (as defined in Part 2, Section D) occurs.

Line 9: Count the number of cases disposed by any method other than jury verdict within 126 days.

Line 10: Count the number of cases disposed by any method other than jury verdict after 126 days.

Line 11: Count the number of cases disposed by jury verdict within 154 days.

Line 12: Count the number of cases disposed by jury verdict after 154 days.

Line 13: Count the number of pending cases (no jury demand) with an age through 126 days.

Line 14: Count the number of pending cases (no jury demand) with an age over 126 days.

Line 15: Count the number of pending cases (jury demand) with an age through 154 days.

Line 16: Count the number of pending cases (jury demand) with an age over 154 days.

DISTRICT COURT CASELOAD Complete Parts 1 and 2 quarterly and transmit no later than 30 days following the end of the reporting period. Complete Part 4 annually and transmit with 4th quarter.			Quarter	Year
Preparer's name	Preparer's telephone no.	Court no. and designation	County or Location	

PART 1: NEW FILINGS AND REOPENED CASES **Provide beginning pending only on the January report.

SECTION A: CRIMINAL

Line	CASE TYPE	EX	FY	OM	SM
1	Beginning Pending**				
2	New Filings				
3	Reopened				

SECTION B: TRAFFIC

Line	CASE TYPE	FD	FT	OD	OI	OT	SD	SI	ST
1	Beginning Pending**								
2	New Filings								
3	Reopened								

SECTION C: NON-TRAFFIC CIVIL INFRACTION, PARKING

Line	CASE TYPE	OK	ON	SK	SN
1	Beginning Pending**				
2	New Filings				
3	Reopened				

SECTION D: CIVIL

Line	CASE TYPE	GC	GZ	LT	SC	SP
1	Beginning Pending**					
2	New Filings					
3	Reopened					

General Reporting Instructions:

- If caseload information for a specific reporting period is not entered into the system prior to submitting the report, adjustments in caseload can be made by re-generating the report and transmitting the amended data according to procedures prescribed by SCAO.
- Assignments are not to be counted in these reports. Separate assignment reports are prepared and will be used to gather additional statistical information about judicial activity. **If courts enter assigned cases to their case management systems, the cases must not be reported.**
- When a case type code is changed after a case has been reported, the case must be counted disposed as "Case Type Change" under the case type code under which the case was originally reported (as a new filing) and reported as a new filing under the new case type. Separate instructions for this new filing are not provided again in the following pages. **Do not change case type codes when a felony criminal case is reduced to a misdemeanor.**

Section A: Criminal - New Filings and Reopened Cases

Line 1: Provide the number of beginning pending cases as of January 1 for each of the case type codes. DO NOT provide beginning pending numbers for the remaining three quarters.

Line 2: Under the appropriate case type codes, provide the total number of filings. Count cases opened on the filing date. Do not count investigative subpoenas or search warrants. Do not count complaints and warrants not yet issued by a judge or magistrate. The most serious offense defines the case type code to be assigned.

- A felony criminal case is counted as a new filing when a complaint is received for filing or a when case is received by your court after transfer from another court because of change of venue; do not include cases transferred for purposes of trial only.
 - Count a high court misdemeanor as a felony.
 - A felony complaint may contain multiple charges against one defendant; do not count multiple charges contained in one complaint as separate cases. If a prosecuting official has filed multiple complaints for multiple offenses arising out of one incident by one defendant, consolidate the complaints into one case and count as one case.
 - A complaint may contain both felony and misdemeanor charges in the same complaint; count as a felony.
 - A criminal complaint should be filed against one defendant; each defendant shall be counted as one case. If a prosecuting official has filed a single complaint against more than one defendant, each defendant must be counted as a separate case.
 - When a case is dismissed to allow for filing of a second complaint for a lesser included offense, do not count the second complaint as a new filing. Do not count enhancements as a new filing.

Forms which may be used to open a criminal case are MC 200 (Felony Complaint and Warrant) and MC 316 (Order for Change of Venue)

- A misdemeanor criminal case is counted as a new filing when a complaint or citation is filed or a case is transferred to your court because of change of venue; do not include cases transferred for purposes of trial only.
 - A misdemeanor complaint may contain multiple charges against one defendant; do not count multiple charges in one complaint as separate cases. If a prosecuting official has filed multiple complaints for multiple offenses arising out of one incident by one defendant, consolidate the complaints into one case and count as one case (this does not apply to a citation).
 - If the charging document is the Uniform Law Citation, each of the 3 parts is considered a separate complaint, and each complaint contains a single charge. Each charge shall be counted as a separate case.
 - A misdemeanor offense with a penalty over 93 days shall not be filed on a Uniform Law Citation.
 - A complaint may contain both misdemeanor and felony charges in the same complaint; count as a felony.
 - A criminal complaint should be filed against one defendant; each defendant shall be counted as one case. If a prosecuting official has filed a single complaint against more than one defendant, each defendant must be counted as a separate case.

Forms which may be used to open a criminal case are DC 225 (Misdemeanor Complaint and Warrant), UC 01a or UC 01b (Uniform Law Citation), and MC 316 (Order for Change of Venue)

Court rules and statutes associated with opening a criminal case are MCR 2.222, 2.223, 2.226, 2.227, 6.101 and 6.907 and MCL 764.1a, 764.1f, and 764.9c.

Line 3: Under the appropriate case type codes, provide the total number of reopened cases. Count cases reopened only if they have been previously counted as disposed.

- A felony or misdemeanor criminal case is counted as a reopened case:
 - when the defendant or juvenile has been arraigned on a warrant that was issued prior to adjudication.
 - when the case is remanded from an appellate court for further pre-judgment action or a new trial.
 - when a request to withdraw a plea is granted or when a judgment notwithstanding the verdict is entered except when entered upon return of the jury verdict.
 - after receiving a report from the Department of Community Health regarding the competency of the defendant to stand trial.
 - when local diversion programs are unsuccessful and traditional processing is pursued.
 - when the prosecutor motions for dismissal of the case after the case had been previously counted disposed under inactive status.

Court rules and statutes associated with reopening a criminal case are MCR 2.610, 6.104, 6.125(E), 6.310, 7.101(M), and 7.102(C) and MCL 330.2028.

Section B: Traffic - New Filings and Reopened Cases

Line 1: Provide the number of beginning pending cases as of January 1 for each of the case type codes. DO NOT provide beginning pending numbers for the remaining three quarters.

Line 2: Under the appropriate case type codes, provide the total number of filings. Count cases opened on the filing date.

- A traffic case is counted as a new filing when a complaint or citation is received for filing or when case is received by your court after transfer from another court because of change of venue; do not include cases transferred for purposes of trial only. The most serious offense defines the case type code to be assigned.
 - A civil infraction traffic offense shall be filed on a citation.
 - A misdemeanor offense with a penalty over 93 days shall not be filed on a citation.
 - A felony traffic offense shall not be filed on a citation.
 - A complaint may contain multiple charges against one defendant; do not count multiple charges in one complaint as separate cases. If a prosecuting official has filed multiple complaints for multiple offenses arising out of one incident by one defendant, consolidate the complaints into one case and count as one case (this does not apply to a citation).
 - A complaint may contain both misdemeanor and felony charges in the same complaint; count as a felony.
 - If the charging document is the Uniform Law Citation, each of the 3 parts is considered a separate complaint and each complaint contains a single charge. Each charge shall be counted as a separate case.
 - A felony traffic complaint should be filed against one defendant; each defendant shall be counted as one case. If a prosecuting official has filed a single complaint against more than one defendant, each defendant must be counted as a separate case.
 - If a misdemeanor traffic case is dismissed because it was reduced to a civil infraction, count the civil infraction as a new case (see page 10, Line 5).
 - When a case is dismissed to allow for filing of a second complaint for a lesser included offense, do not count the second complaint as a new filing. Do not count enhancements as a new filing.

Forms which may be used to open a traffic case are UC 01a or UC 01b (Uniform Law Citation) for misdemeanor and civil infraction traffic, CVC 1 (Commercial Vehicle Law Citation), MC 200 (Felony Complaint and Warrant) for felony traffic, DC 225 (Misdemeanor Complaint and Warrant) for misdemeanor traffic, and MC 316 (Order for Change of Venue)

Court rules and statutes associated with opening a traffic case are MCR 2.222, 2.223, 2.226, 2.227, 4.101(A), and 6.615(A) and MCL 257.727, 257.728 and 600.113.

Line 3: Under the appropriate case type codes, provide the total number of reopened cases. Count cases reopened only if they have been previously counted as disposed.

- A felony or misdemeanor traffic case is counted as a reopened case:
 - when the defendant or juvenile has been arraigned on a warrant that was issued prior to adjudication.
 - when a new trial is ordered by an appellate court.
 - when a request to withdraw a plea is granted or when a judgment notwithstanding the verdict is entered except when entered upon return of the jury verdict.
 - when an order staying the case is set aside.
 - after receiving a report from the Department of Community Health regarding the competency of the defendant to stand trial.
 - when local diversion programs are unsuccessful and traditional processing is pursued.
 - when prosecutor motions for dismissal of the case after the case had been previously counted disposed under inactive status.
- A traffic civil infraction case is counted as a reopened case:
 - when an order staying the case is set aside.
 - when a default has been set aside.
 - when a request for admission of responsibility to be set aside is granted.
 - when appeal is filed from an informal hearing to a de novo hearing.

Court rules and statutes associated with reopening a traffic case are MCR 2.610, 4.101(C), 4.101(G)(3), 6.615(B), 7.101(M), and 7.102(C) and MCL 330.2028.

Section C: Non-Traffic Civil Infraction and Parking - New Filings and Reopened Cases

Line 1: Provide the number of beginning pending cases as of January 1 for each of the case type codes. DO NOT provide beginning pending numbers for the remaining three quarters.

Line 2: Under the appropriate case type codes, provide the total number of filings. Count cases opened on the filing date.

- A non-traffic civil infraction case or a parking case is counted as a new filing when a citation is received for filing.
 - A non-traffic civil infraction case shall be filed on a citation.
 - A single citation may not contain multiple offenses against one defendant; a three-part, multiple-count citation serves as three separate cases and shall be counted as such.
 - A parking ticket may be issued on a citation.

Forms which must be used to open a non-traffic civil infraction case are UC 01a or UC 01b (Uniform Law Citation), UC 03 (Uniform Municipal Civil Infraction Citation), or CVC 1 (Commercial Vehicle Law Citation).

Court rules and statutes associated with opening a non-traffic civil infraction or parking case are MCR 4.101(A) and MCL 257.727, 257.728, and 600.113.

Line 3: Under the appropriate case type codes, provide the total number of reopened cases. Count cases reopened only if they have been previously counted as disposed.

- A non-traffic civil infraction case or a parking case is counted as a reopened case:
 - when a default has been set aside.
 - when an order staying the case is set aside.
 - when local diversion programs are unsuccessful and traditional processing is pursued.
 - when a request for admission of responsibility to be set aside is granted.
 - when an appeal is filed from an informal hearing to a de novo hearing.

Court rules and statutes associated with reopening a non-traffic civil infraction and parking case are MCR 4.101(C) and 4.101(G)(3).

Section D: Civil - New Filings and Reopened Cases

Line 1: Provide the number of beginning pending cases as of January 1 for each of the case type codes. DO NOT provide beginning pending numbers for the remaining three quarters.

Line 2: Under the appropriate case type codes, provide the total number of filings. Count cases opened on the filing date.

- A civil case is counted as a new filing when a complaint is received for filing, when a foreign judgment is received for filing, when a case is received by your court after transfer from another court because of change of venue, or when a case is removed from the small claims division to the general civil division.
 - Do not include cross-claims, 3rd party complaints, or counter claims.

Forms which may be used to open a civil case are:

MC 01 (Summons and Complaint)

MC 35 (Complaint, Claim and Delivery)

MC 62 (Application and Notice of Entry of Foreign Judgment)

DC 85 (Affidavit and Claim, Small Claims)

DC 86 (Demand and Order for Removal, Small Claims)

DCZ 90 (Petition Contesting Impoundment of Motor Vehicle)

DC 104 (Summons, Landlord-Tenant/Land Contract) and either:

DC 102a (Complaint, Non-Payment of Rent, Landlord-Tenant)

DC 102b (Complaint, Health Hazard, Injury to Premises, Landlord-Tenant)

DC 102c (Complaint, Termination of Tenancy, Landlord-Tenant)

DC 102d (Complaint, Termination of Tenancy, Mobile Home, Landlord-Tenant)

DC 103 (Complaint for Possession After Land Contract Forfeiture)

MC 316 (Order for Change of Venue)

Court rules associated with opening a civil case are MCR 2.101, 2.102, 2.222, 2.223, 2.226, 2.227, 3.105(C), 4.201(B), 4.202(D), 4.302(A), (B), and 4.306.

Line 3: Under the appropriate case type codes, provide the total number of reopened cases. Count cases reopened only if they have been previously counted as disposed.

- A civil case is counted as a reopened case when:
 - a judgment is set aside, a settlement agreement is set aside, a judgment notwithstanding the verdict is entered except when entered upon return of the jury verdict, or an order staying a case is set aside.
 - a default entry for no answer is set aside even if there is no judgment entered or whether the case has been dismissed for no progress or not.
 - reinstated after dismissal.
 - a new trial is ordered after appeal to circuit court.
 - an appeal of an attorney magistrate's small claims decision is filed (do not change case type code).
 - a termination of bankruptcy is filed.

Court rules associated with reopening a civil case are MCR 2.102(F), 2.502(C), 2.603(D), 2.610, 7.101(M), and 7.102(C).

DISTRICT COURT CASE-TYPE CODES

SECTION A: CRIMINAL

EX - Extradition

FY - Felony non-traffic cases

OM - Ordinance misdemeanor non-traffic

SM - Statute misdemeanor non-traffic

SECTION B: TRAFFIC

FD - Felony drunk driving

FT - Felony traffic

OD - Ordinance drunk driving

OI - Ordinance civil infraction traffic

OT - Ordinance misdemeanor traffic

SD - Statute drunk driving

SI - Statute civil infraction traffic

ST - Statute misdemeanor traffic

SECTION C: NON TRAFFIC CIVIL INFRACTION AND PARKING

OK - Ordinance parking

ON - Ordinance civil infraction non-traffic

SK - Statute parking

SN - Statute civil infraction non-traffic

SECTION D: CIVIL

GC - General civil for monetary damages

GZ - All non-monetary civil claims except LT, SC, and SP

LT - Landlord/tenant summary proceedings

SC - Small claims

SP - Land contract summary proceedings

DISTRICT COURT CASELOAD - PART 2: METHOD OF DISPOSITION

SECTION A: CRIMINAL

Line	CASE TYPE	EX	FY	OM	SM
1	Jury Verdict				
2	Bench Verdict				
3	Guilty Plea				
4	Bindover/ Transfer				
5	Dismissed by Party				
6	Dismissed by Court				
7	Inactive Status				
8	Local Diversion				
9	Case Type Change				

SECTION B: TRAFFIC

Line	CASE TYPE	FD	FT	OD	OI	OT	SD	SI	ST
1	Jury Verdict								
2	Bench Verdict								
3	Guilty Plea/ Admission								
4	Bindover/ Transfer								
5	Dismissed by Party								
6	Dismissed by Court								
7	Default								
8	Inactive Status								
9	Local Diversion								
10	Case Type Change								

General Reporting Instructions:

- Assignments are not to be counted in these reports. Separate assignment reports are prepared and will be used to gather additional statistical information about judicial activity. **If courts enter assigned cases to their case management systems, the cases should not be reported.**
- When a case type code is changed after a case has been reported, the case must be counted disposed as "Case Type Change" under the case type code under which the case was originally reported (as a new filing) and reported as a new filing under the new case type. **Do not change case type codes when a felony criminal case is reduced to a misdemeanor.**

DISTRICT COURT CASELOAD - PART 2: METHOD OF DISPOSITION**SECTION C: NON-TRAFFIC CIVIL INFRACTION AND PARKING**

Line	CASE TYPE	OK	ON	SK	SN
1	Verdict at Hearing				
2	Admission/Waivers				
3	Dismissed by Party				
4	Dismissed by Court				
5	Default				
6	Inactive Status				
7	Local Diversion				
8	Case Type Change				

SECTION D: CIVIL

Line	CASE TYPE	GC	GZ	LT	SC	SP
1	Jury Verdict					
2	Bench Verdict					
3	Uncontested/Default/Settled					
4	Transferred					
5	Dismissed by Party					
6	Dismissed by Court					
7	Inactive Status					
8	Other Disposition					
9	Case Type Change					

Section A: Criminal - Method of Disposition

Report criminal cases as disposed when all counts against a criminal defendant have been adjudicated. Enter in the appropriate lines the number of cases disposed for each of the case type codes. When a case type code is changed after a case has been reported, the case must be counted disposed as "Case Type Change" under the case type code under which the case was originally reported (as a new filing) and reported as a new filing under the new case type except you must count a felony reduced to a misdemeanor disposed under the felony case-type code. Do not count cases disposed when assigned by the State Court Administrative Office to a judge of another court. **The method of disposition** should be entered in the line representing the highest form of final disposition within the case using the following hierarchy:

Line 1: Jury Verdict [*MCR 6.610, 6.931(A)*]

Count when verdict is returned by jury (guilty or not guilty) including verdict under MCL 769.4a (Spouse Abuse Act) or MCL 333.7411 (Controlled Substance Abuse Act).

Line 2: Bench Verdict [*MCR 6.610, 6.931(A)*]

Count when verdict is returned by judge (guilty or not guilty) including verdict under MCL 769.4a (Spouse Abuse Act) or MCL 333.7411 (Controlled Substance Abuse Act). Count entry of judgment by judge notwithstanding jury verdict. Count directed verdict in favor of defendant after conclusion of plaintiff's case even if during jury trial. Count extradition after hearing.

Line 3: Guilty Plea (includes no contest) [*MCR 6.610(E), MCL 764.9g*]

Count when a guilty plea is offered and accepted including guilty plea under MCL 769.4a (Spouse Abuse Act), MCL 333.7411 (Controlled Substance Abuse Act), or MCL 762.14 (Youthful Trainee Status). Count as a plea if: 1) new trial is granted after verdict and defendant later pleads guilty; 2) defendant pleads guilty during or after proofs are heard.

Line 4: Bindover/Transfer (*forms MC 200, MC 316*) [*MCR 5.939, 6.110(G), (H), 6.911, MCL 762.7, 766.14*]

Count bindovers to circuit court. Count transfers to another court before adjudication including waivers of extradition. Do not count cases transferred for purposes of trial only.

Line 5: Dismissed by Party (*form MC 263*) [*MCR 6.110(F), (H), 6.427, 6.931, MCL 764.9d*]

Count when an order is entered after the prosecutor or city attorney motions for a dismissal at any point in the proceedings or when a nolle prosequi is filed. Do not count a dismissal to allow the filing of a second complaint for a lesser included offense or for enhancement.

Line 6: Dismissed by Court (*form MC 262*) [*MCR 6.110(F), (H), 6.427, 6.931, MCL 764.9d*]

Count when dismissed by judge after preliminary examination, during trial, or after trial and an order of dismissal is entered. Do not count a dismissal to allow the filing of a second complaint for a lesser included offense or for enhancement. Do not count any dismissal on motion of the prosecutor or city attorney.

Line 7: Inactive Status (*forms MC 200, MC 204, MC 206, DC 225, DC 226, MC 229*) [*MCR 6.125, 6.615(B), MCL 330.2028, 764.9e*]

Count as inactive when a warrant is issued before adjudication or when defendant is referred to the Department of Community Health for evaluation to determine whether competent to stand trial or when defendant is found incompetent to stand trial.

Line 8: Local Diversion

Count when defendants consent to drug court treatment programs or other local diversion programs as an alternative to traditional processing. If completion of the program is not successful and traditional processing is pursued, count the case reopened (see Part 1). Do not include assignment to youthful trainee status (MCL 762.14) or judgment of guilt deferred under MCL 769.4a (Spouse Abuse Act) or MCL 333.7411 (Controlled Substance Abuse Act).

Line 9: Case Type Change - Count when a case type code is changed after a case has already been reported as a new filing under another case type code.

Section B: Traffic - Method of Disposition

Report traffic cases as disposed when all counts/offenses against the defendant have been adjudicated. Enter in the appropriate lines the number of cases disposed for each of the case type codes. When a case type code is changed after a case has been reported, the case must be counted disposed as "Case Type Change" under the case type code under which the case was originally reported (as a new filing) and reported as a new filing under the new case type. Do not count cases disposed when assigned by the State Court Administrative Office to a judge of another court. **The method of disposition** should be entered in the line representing the highest form of final disposition within the case using the following hierarchy:

Line 1: Jury Verdict [MCR 6.610, 6.615]

Count when verdict is returned by jury (guilty or not guilty) .

Line 2: Bench Verdict or Informal, Formal, or De Novo Hearing [MCR 4.101(B), (E), 6.610, 6.616]

Count when verdict is returned by judge or magistrate (guilty or not guilty, responsible or not responsible). Count entry of judgment by judge notwithstanding jury verdict. Count directed verdict in favor of defendant after conclusion of plaintiff's case even if during jury trial.

Line 3: Guilty Plea (includes no contest) and Admission/Waivers [MCR 4.101(B), 6.610(E), 6.615MCL 764.9g]

Count when a guilty plea is offered and accepted. Count when an admission of responsibility is offered and accepted. Count as a plea if: 1) new trial is granted after verdict and defendant later pleads guilty; 2) defendant pleads guilty during or after proofs are heard. Include violations for which fine and costs have been waived in accordance with statute or ordinance (i.e. equipment violations, no child restraint, no registration).

Line 4: Bindover/Transfer (forms MC 200, MC 316) [MCR 6.110(G), (H), MCL 762.7]

Count bindovers to circuit court or transfers to another court before adjudication. Do not count cases transferred for purposes of trial only.

Line 5: Dismissed by Party (forms MC 263) [MCR 6.110(N), 6.427, 6.610, 6.615]

Count when an order is entered after the prosecutor, city attorney, or other plaintiff motions for a dismissal at any point in the proceedings or when a nolle prosequi is filed. Do not count a dismissal to allow the filing of a second complaint for a lesser included offense or for enhancement. Count when reducing a misdemeanor traffic to a civil infraction traffic.

Line 6: Dismissed by Court (form MC 262, CIA 02) [MCR 6.110(N), 6.427, 6.610, 6.615]

Count when dismissed by judge or magistrate after preliminary examination, during trial, or after trial and an order of dismissal is entered. Count when plaintiff, officer, or witness fails to appear at the hearing and an order of dismissal is entered. Do not count any dismissals on motion of the prosecutor, city attorney, or other plaintiff.

Line 7: Default (forms CIA 02, CIA 07) [MCR 4.101(B), (E)]

Count when default is entered due to non-appearance or no response by defendant.

Line 8: Inactive Status (forms MC 204, MC 206, DC 226, MC 229) [MCR 6.125, 6.615(B), 7.101, MCL 764.9e]

Count as inactive when either a warrant or a FAC notice is issued before adjudication or when defendant is referred to the Department of Community Health for evaluation to determine whether competent to stand trial or when defendant is found incompetent to stand trial or when an order staying a civil infraction case is entered (i.e. military or bankruptcy).

Line 9: Local Diversion

Count when defendants consent to local diversion programs as an alternative to traditional processing. If completion of the program is not successful and traditional processing is pursued, count the case reopened.

Line 10: Case Type Change

Count when a case type code is changed after a case has already been reported as a new filing under another case type code.

Section C: Non-Traffic Civil Infraction and Parking - Method of Disposition

Report non-traffic civil infraction and parking cases as disposed when all offenses against the defendant have been adjudicated. Enter in the appropriate lines the number of cases disposed for each of the case type codes. When a case type code is changed after a case has been reported, the case must be counted disposed as "Case Type Change" under the case type code under which the case was originally reported (as a new filing) and reported as a new filing under the new case type. Do not count cases disposed when assigned by the State Court Administrative Office to a judge of another court. **The method of disposition** should be entered in the line representing the highest form of final disposition within the case using the following hierarchy:

Line 1: Verdict at Informal, Formal, or De Novo Hearing [MCR 4.101(B)]

Count when verdict is returned by judge or magistrate (responsible or not responsible).

Line 2: Admission/Waiver [MCR 4.101(B)]

Count when an admission of responsibility is offered and accepted. Include violations for which fine and costs have been waived in accordance with law.

Line 3: Dismissed by Party (forms MC 263) [MCR 4.101]

Count when an order is entered after the prosecutor, city attorney, or other plaintiff motions for a dismissal at any point in the proceedings or when a nolle prosequi is filed.

Line 4: Dismissed by Court (form CIA 02) [MCR 4.101]

Count when dismissed by judge or magistrate during trial or after hearing and an order of dismissal is entered. Count when plaintiff, officer, or witness fails to appear at the hearing and an order of dismissal is entered. Do not count any dismissals on motion of the prosecutor, city attorney, or other plaintiff.

Line 5: Default (forms CIA 02, CIA 07) [MCR 4.101(B), (E)]

Count when default is entered due to non-appearance by defendant.

Line 6: Inactive Status

Count as inactive when an order staying a non-traffic civil infraction case is entered (i.e. military or bankruptcy).

Line 7: Local Diversion

Count when defendants consent to local diversion programs as an alternative to traditional processing. If completion of the program is not successful and traditional processing is pursued, count the case reopened.

Line 8: Case Type Change

Count when a case type code is changed after a case has already been reported as a new filing under another case type code.

Section D: Civil - Method of Disposition

Report civil cases as disposed when all claims of all plaintiffs against all defendants or all counter or cross claims have been disposed. When a case type code is changed after a case has been reported, the case must be counted disposed as "Case Type Change" under the case type code under which the case was originally reported (as a new filing) and reported as a new filing under the new case type. Do not count cases disposed when assigned by the State Court Administrative Office to a judge of another court. Enter in the appropriate lines the number of cases disposed for each of the case type codes. **The method of disposition** should be entered in the line representing the highest form of final disposition within the case using the following hierarchy. For example: 1 claim not served, 2 claims settled, 1 claim went to jury trial and a verdict was entered; count disposed under jury verdict.

Line 1: Jury Verdict [MCR 2.504(B), 2.600 et seq., 4.201(K), 4.202(J)]

Count when decided by jury except when judge amends or overturns verdict.

Line 2: Bench Verdict [MCR 2.504(B), 2.600 et seq., 3.105(H), 3.300 et seq., 4.201(K), 4.202(J), 4.304(B)(2), 4.305]

Count when decided by judicial officer. Count directed verdict after conclusion of plaintiff's case. Count entry of judgment by judge notwithstanding jury verdict.

Line 3: Uncontested/Default/Settled/Summary Disposition [MCR 2.403(M), 2.405, 2.410(D)(3), 2.411(C)(4), 2.600 et seq., 4.201(F), 4.201(I), 4.202(H), 4.304(B)(1), 4.306(D)]

Count when defaulted for no answer, when consent judgment is filed including those as a result of case evaluation, mediation or other ADR process; when default is entered after a party fails to attend a scheduled ADR proceeding; when default judgment is entered after plaintiff offers proofs and defendant has failed to appear; when trial is commenced but case is settled before return of verdict; when motion for summary disposition is granted; or when a settlement agreement is filed.

Line 4: Transferred (form MC 316, DC 86) [MCR 2.226, 2.227, 4.306(B), 4.002, MCL 700.22]

Count when transferred to another court before adjudication (includes small claims removed to general civil; cases removed to federal or circuit court).

Line 5: Dismissed by Party (form MC 09) [MCR 2.102(E), 2.502, 2.504(A), 4.304(B)(2), (3)]

Count voluntary dismissals by plaintiff. Count stipulation by parties to remove case to binding arbitration.

Line 6: Dismissed by Court (form MC 09a) [MCR 2.102(E), 2.401(G)(1), 2.403(M), 2.410(D)(3), 2.502, 2.504(B), (E), 4.304(B)(2), (3)]

Count when dismissed due to non-service and no progress. Count when dismissed for no cause of action after conclusion of plaintiff's case. Count when dismissed as a result of payment of an award made within 28 days of notification of acceptance of an evaluation under MCR 2.403(M). Count when dismissed after plaintiff fails to appear.

Line 7: Inactive Status (form MC 300)

Count when any order staying a case (except interlocutory appeal) is entered (i.e. military or bankruptcy).

Line 8: Other Disposition

Count all other dispositions not otherwise provided for in the above. Count foreign judgments disposed at time of filing.

Line 9: Case Type Change

Count when a case type code is changed after a case has already been reported as a new filing under another case type code.



**Michigan Supreme Court
State Court Administrative Office**

P.O. Box 30048
Lansing, MI 48909
Phone: (517) 373-0130 Fax: (517) 373-2112
John D. Ferry, Jr., State Court Administrator

Memorandum

DATE: June 28, 2004

TO: Chief Judges
cc: Court Administrators, Case Management System Providers

FROM: Laura Hutzal, Research and Policy Analyst

RE: Uploading Data to the Caseload Reporting System

As you may be aware, almost every trial court has the option to electronically upload caseload data from their case management system to the Caseload Reporting System. Compared to manually entering caseload data, the uploading process is relatively short. Both methods, uploading or manually entering, allow the data to be modified after it is uploaded or entered.

For the fourth quarter of 2004, however, two-thirds of the trial courts choose to manually enter their caseload data instead of uploading it. With the implementation of Part 4 of the Caseload Reporting System, which will require annual data for each judge, the time required to manually enter caseload data will increase. With a few steps, most trial courts could upload their caseload data and save staff time.

If you are interested in using the upload process and need technical assistance, I would encourage you to contact your case management system provider who should be able to assist in this process.

Rule 1.108 Computation of Time

In computing a period of time prescribed or allowed by these rules, by court order, or by statute, the following rules apply:

- (1) The day of the act, event, or default after which the designated period of time begins to run is not included. The last day of the period is included, unless it is a Saturday, Sunday, legal holiday, or holiday on which the court is closed pursuant to court order; in that event the period runs until the end of the next day that is not a Saturday, Sunday, legal holiday, or holiday on which the court is closed pursuant to court order.
- (2) If a period is measured by a number of weeks, the last day of the period is the same day of the week as the day on which the period began.
- (3) If a period is measured by months or years, the last day of the period is the same day of the month as the day on which the period began. If what would otherwise be the final month does not include that day, the last day of the period is the last day of that month. For example, "2 months" after January 31 is March 31, and "3 months" after January 31 is April 30.

(Current as of 7/01/2004)

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.5735 Summons; hearing.

Sec. 5735. (1) The court in which a summary proceeding is commenced shall issue a summons, which may be served on the defendant by any officer or person authorized to serve process of the court. The summons shall command the defendant to appear for trial in accordance with the provisions of subsection (2) unless by local court rule the provisions of subsection (4) have been made applicable.

(2) A summons issued under this section shall command the defendant to appear for trial as follows:

(a) Within 30 days of the issuance date of the summons in proceedings under section 5726, in which event the summons shall be served not less than 10 days before the date set for trial.

(b) Within 10 days of the issuance date of the summons in all other proceedings, in which event the summons shall be served not less than 3 days before the date set for trial.

(3) If a summons issued under this section is not served within the time provided by subsection (2), additional summons shall be issued at the plaintiff's request in the same manner and with the same effect as the original summons.

(4) Instead of the provisions of subsection (2), a court by local rule may provide for the application of this subsection to summary proceedings commenced in the court, in which event the summons shall command the defendant to appear as follows:

(a) Within 10 days after service of the summons upon the defendant in proceedings under section 5726.

(b) Within 5 days after service of the summons upon the defendant in all other proceedings.

(5) A summons issued under subsection (4) remains in effect until served or quashed or until the action is dismissed, but additional summons as needed for service may be issued at any time at the plaintiff's request.

(6) Except as otherwise provided by court rule, a summary proceeding shall be heard within 7 days after the defendant's appearance or trial date and shall not be adjourned beyond that time other than by stipulation of the parties either in writing or on the record.

(7) An action to which section 5714(1)(b) applies shall be heard at the time of the defendant's appearance or trial date and shall not be adjourned beyond that time except for extraordinary reasons.

History: Add. 1972, Act 120, Eff. July 1, 1972;—Am. 2001, Act 162, Imd. Eff. Nov. 7, 2001;—Am. 2004, Act 105, Eff. Sept. 1, 2004.

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.8406 Appearances; copy of affidavit and notice of hearing; application for new notice; jurisdiction to render judgment; continuance.

Sec. 8406. (1) The date for the appearance of the defendant provided in the notice shall not be less than 15 days nor more than 45 days after the date of the notice. The person filing the claim shall receive from the clerk a copy of the affidavit and notice of hearing. The plaintiff shall appear on the date shown in the notice of hearing and have all books, papers, and witnesses necessary to prove the claim. If the notice is not served upon the defendant at least 7 days before the appearance date, the plaintiff may apply to the clerk or deputy clerk for a new notice setting a new date for the appearance of the defendant which shall be not less than 15 days nor more than 30 days after the date of the issuance of the new notice.

(2) If a defendant is not personally served or did not sign the certified mail return receipt at least 7 days before the appearance date, there shall not be jurisdiction to render judgment, unless the defendant appears on the appearance date and does not request a continuance. If the defendant was not served within the minimum time specified, the matter, upon request of either party, shall be continued for not less than 7 days.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1978, Act 496, Eff. Jan. 1, 1979.

Rule 2.401 Pretrial Procedures; Conferences; Scheduling Orders

(A) Time; Discretion of Court. At any time after the commencement of the action, on its own initiative or the request of a party, the court may direct that the attorneys for the parties, alone or with the parties, appear for a conference. The court shall give reasonable notice of the scheduling of a conference. More than one conference may be held in an action.

(B) Early Scheduling Conference and Order.

(1) Early Scheduling Conference. The court may direct that an early scheduling conference be held. In addition to those considerations enumerated in subrule (C)(1), during this conference the court should consider:

- (a) whether jurisdiction and venue are proper or whether the case is frivolous,
- (b) whether to refer the case to an alternative dispute resolution procedure under MCR 2.410, and
- (c) the complexity of a particular case and enter a scheduling order setting time limitations for the processing of the case and establishing dates when future actions should begin or be completed in the case.

(2) Scheduling Order.

(a) At an early scheduling conference under subrule (B)(1), a pretrial conference under subrule (C), or at such other time as the court concludes that such an order would facilitate the progress of the case, the court shall establish times for events the court deems appropriate, including

- (i) the initiation or completion of an ADR process,
- (ii) the amendment of pleadings, adding of parties, or filing of motions,
- (iii) the completion of discovery,
- (iv) the exchange of witness lists under subrule (I), and
- (v) the scheduling of a pretrial conference, a settlement conference, or trial.

More than one such order may be entered in a case.

(b) The scheduling of events under this subrule shall take into consideration the nature and complexity of the case, including the issues involved, the number and location of parties and potential witnesses, including experts, the extent of expected and necessary discovery, and the availability of reasonably certain trial dates.

(c) Whenever reasonably practical, the scheduling of events under this subrule shall be made after meaningful consultation with all counsel of record.

(i) If a scheduling order is entered under this subrule in a manner that does not permit meaningful advance consultation with counsel, within 14 days after entry of the order, a party may file and serve a written request for amendment of the order detailing the reasons why the order should be amended.

(ii) Upon receiving such a written request, the court shall reconsider the order in light of the objections raised by the parties. Whether the reconsideration occurs at a conference or in some other manner, the court must either enter a new scheduling order or notify the parties in writing that the court declines to amend the order. The court must schedule a conference, enter the new order, or send the written notice, within 14 days after receiving the request.

(iii) The submission of a request pursuant to this subrule, or the failure to submit such a request, does not preclude a party from filing a motion to modify a scheduling order.

(C) Pretrial Conference; Scope.

(1) At a conference under this subrule, in addition to the matters listed in subrule (B)(1), the court and the attorneys for the parties may consider any matters that will facilitate the fair and expeditious disposition of the action, including:

(a) the simplification of the issues;

(b) the amount of time necessary for discovery;

(c) the necessity or desirability of amendments to the pleadings;

(d) the possibility of obtaining admissions of fact and of documents to avoid unnecessary proof;

(e) the limitation of the number of expert witnesses;

(f) the consolidation of actions for trial, the separation of issues, and the order of trial when some issues are to be tried by a jury and some by the court;

(g) the possibility of settlement;

(h) whether mediation, case evaluation, or some other form of alternative dispute resolution would be appropriate for the case, and what mechanisms are available to provide such services;

(i) the identity of the witnesses to testify at trial;

(j) the estimated length of trial;

(k) whether all claims arising out of the transaction or occurrence that is the subject matter of the action have been joined as required by MCR 2.203(A);

(1) other matters that may aid in the disposition of the action.

(2) Conference Order. If appropriate, the court shall enter an order incorporating agreements reached and decisions made at the conference.

(D) Order for Trial Briefs. The court may direct the attorneys to furnish trial briefs as to any or all of the issues involved in the action.

(E) Appearance of Counsel. The attorneys attending the conference shall be thoroughly familiar with the case and have the authority necessary to fully participate in the conference. The court may direct that the attorneys who intend to try the case attend the conference.

(F) Presence of Parties at Conference. If the court anticipates meaningful discussion of settlement, the court may direct that the parties to the action, agents of parties, representatives of lienholders, or representatives of insurance carriers, or other persons:

(1) be present at the conference or be immediately available at the time of the conference; and

(2) have information and authority adequate for responsible and effective participation in the conference for all purposes, including settlement.

The court's order may require the availability of a specified individual; provided, however, that the availability of a substitute who has the information and authority required by subrule (F)(2) shall constitute compliance with the order.

The court's order may specify whether the availability is to be in person or by telephone.

This subrule does not apply to an early scheduling conference held pursuant to subrule (B).

(G) Failure to Attend or to Participate.

(1) Failure of a party or the party's attorney or other representative to attend a scheduled conference or to have information and authority adequate for responsible and effective participation in the conference for all purposes, including settlement, as directed by the court, may constitute a default to which MCR 2.603 is applicable or a ground for dismissal under MCR 2.504(B).

(2) The court shall excuse a failure to attend a conference or to participate as directed by the court, and shall enter a just order other than one of default or dismissal, if the court finds that

(a) entry of an order of default or dismissal would cause manifest injustice; or

(b) the failure was not due to the culpable negligence of the party or the party's attorney.

The court may condition the order on the payment by the offending party or attorney of reasonable expenses as provided in MCR 2.313(B)(2).

(H) Conference After Discovery. If the court finds at a pretrial conference held after the completion of discovery that due to a lack of reasonable diligence by a party the action is not ready for trial, the court may enter an appropriate order to facilitate preparation of the action for trial and may require the offending party to pay the reasonable expenses, including attorney fees, caused by the lack of diligence.

(I) Witness Lists.

(1) No later than the time directed by the court under subrule (B)(2)(a), the parties shall file and serve witness lists. The witness list must include:

(a) the name of each witness, and the witness' address, if known; however, records custodians whose testimony would be limited to providing the foundation for the admission of records may be identified generally;

(b) whether the witness is an expert, and the field of expertise.

(2) The court may order that any witness not listed in accordance with this rule will be prohibited from testifying at trial except upon good cause shown.

(3) This subrule does not prevent a party from obtaining an earlier disclosure of witness information by other discovery means as provided in these rules.

(Current as of 7/01/2004)

Rule 2.501 Scheduling Trials; Court Calendars

(A) Scheduling Conferences or Trial.

(1) Unless the further processing of the action is already governed by a scheduling order under MCR 2.401(B)(2), the court shall

- (a) schedule a pretrial conference under MCR 2.401,
- (b) schedule the action for an alternative dispute resolution process,
- (c) schedule the action for trial, or
- (d) enter another appropriate order to facilitate preparation of the action for trial.

(2) A court may adopt a trial calendar or other method for scheduling trials without the request of a party.

(B) Expedited Trials.

(1) On its own initiative, the motion of a party, or the stipulations of all parties, the court may shorten the time in which an action will be scheduled for trial, subject to the notice provisions of subrule (C).

(2) In scheduling trials, the court shall give precedence to actions involving a contest over the custody of minor children and to other actions afforded precedence by statute or court rule.

(C) Notice of Trial. Attorneys and parties must be given 28 days' notice of trial assignments, unless

- (1) a rule or statute provides otherwise as to a particular type of action,
- (2) the adjournment is of a previously scheduled trial, or
- (3) the court otherwise directs for good cause.

Notice may be given orally if the party is before the court when the matter is scheduled, or by mailing or delivering copies of the notice or calendar to attorneys of record and to any party who appears on his or her own behalf.

(D) Attorney Scheduling Conflicts.

(1) The court and counsel shall make every attempt to avoid conflicts in the scheduling of trials.

(2) When conflicts in scheduled trial dates do occur, it is the responsibility of counsel to notify the court as soon as the potential conflict becomes evident. In such cases, the

courts and counsel involved shall make every attempt to resolve the conflict in an equitable manner, with due regard for the priorities and time constraints provided by statute and court rule. When counsel cannot resolve conflicts through consultation with the individual courts, the judges shall consult directly to resolve the conflict.

(3) Except where a statute, court rule, or other special circumstance dictates otherwise, priority for trial shall be given to the case in which the pending trial date was set first.

(Current as of 7/01/2004)

STATE OF MICHIGAN

Seventh Judicial District

☐ 7th District Court - West

1007 E. Wells St.
P.O. Box 311
South Haven, MI 49090-0311
Phone: (269) 637-5258

HON. ARTHUR H. CLARKE, III

District Judge

J. MICHAEL JAMES

Court Admin./Magistrate



☒ 7th District Court - East

212 Paw Paw Street, Suite 130
Paw Paw, MI 49079-1493
Phone: (269) 657-8222
Probation Dept.: (269) 657-8248

HON. ROBERT T. HENTCHEL

District Judge

CRAIG HESS

Court Admin./Magistrate

Dear Plaintiff/Defendant or Attorney,

An answer or other responsive pleading has been filed in this matter. Enclosed you will find two Orders. The first is a **Case Management and Scheduling Order**. It is self-explanatory, but if you do have any questions about its operation, please contact one of the civil clerks. In addition, if any of the dates and times listed in Item 8 are in conflict with your schedule, it is up to you to seek or request an adjournment through a stipulation or motion. If not, the dates are firm.

Second, an **Order for Mediation** is enclosed. It is also self-explanatory. You are instructed to contact Citizens Mediation Service to arrange a date and time for mediation. Their phone number is (269)982-7898. The toll free number is 1-800-873-7658. There is a \$50.00 mediation fee per named party which is due and payable at the time of the mediation to: **Citizens Mediation Service**. If you have any questions or concerns about the mediation process, please feel free to contact Matt Balfe at CMS.

Finally, please be advised that the enclosed orders are the only notices you will receive from this Court regarding scheduled proceedings. It is important, therefore, that you read all the documents carefully and completely.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink that reads "Robert T. Hentchel".

Robert T. Hentchel
7th District Court Judge

RTH:law
cc: court file
Enclosure

STATE OF MICHIGAN
7TH DISTRICT COURT-CIVIL DIVISION
VAN BUREN COUNTY

PLAINTIFF

VS.

CASE NO:
HONORABLE ROBERT T. HENTCHEL

DEFENDANT

CASE MANAGEMENT AND
SCHEDULING ORDER
MCR 2.401

PLAINTIFF/ATTORNEY:

DEFENDANT/ATTORNEY:

STATEMENT OF CASE:

1. **DISCOVERY:** ALL DISCOVERY MUST BE COMPLETED WITHIN 91 DAYS OF THIS ORDER.
2. **EXHIBITS:** EXCHANGE ALL EXHIBITS WITH THE OTHER PARTIES NO LATER THAN 21 DAYS BEFORE TRIAL. ABSENT GOOD CAUSE, EXHIBITS WILL NOT BE ADMITTED AT TRIAL THAT HAVE NOT BEEN EXCHANGED.
3. **WITNESSES:** EXCHANGE NAMES AND ADDRESSES OF TRIAL WITNESSES, INCLUDING ANY EXPERT WITNESSES, WITH THE OTHER PARTIES NO LATER THAN 21 DAYS BEFORE TRIAL. ABSENT GOOD CAUSE, NO WITNESS WILL BE PERMITTED TO TESTIFY AT TRIAL WHOSE NAMES HAVE NOT BEEN EXCHANGED.
4. **MOTIONS:** ALL MOTIONS MUST BE FILED AND HEARD NO LATER THAN 28 DAYS BEFORE TRIAL.
5. **PLEADINGS, PARTIES:** MOTIONS TO AMEND PLEADINGS OR ADD PARTIES MUST BE FILED AND HEARD NO LATER THAN THE DATE OF THE PRE-TRIAL CONFERENCE.
6. **ALTERNATIVE DISPUTE RESOLUTION:** THE PARTIES SHALL PARTICIPATE IN MEDIATION THROUGH CITIZENS MEDIATION SERVICES AND SHALL PAY THE REASONABLE AND CUSTOMARY FEES. THE PARTIES SHALL CONTACT CMS WITHIN 7 DAYS OF THIS ORDER. A SEPERATE ORDER FOR MEDIATION IS INCLUDED.
7. **JURY INSTRUCTIONS (IF APPLICABLE):** PROPOSED JURY INSTRUCTIONS WILL BE SUBMITTED TO THE COURT IN WRITING BEFORE OR AT THE SETTLEMENT CONFERENCE.
8. **CONFERENCES, TRIALS:** ALL CONFERENCES, TRIALS WILL TAKE PLACE AT THE 7TH DISTRICT COURT, PAW PAW, MICHIGAN.

DATE

TIME

PRE-TRIAL CONFERENCE:

SETTLEMENT CONFERENCE:

BENCH TRIAL:

JURY TRIAL:

NO FURTHER NOTICES WILL BE GIVEN. FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN SANCTIONS, INCLUDING DISMISSAL, DEFAULT OR IMPOSITION OF COSTS.

DATE: _____

ROBERT T. HENTCHEL
7TH DISTRICT COURT JUDGE

Court address

Court telephone no

112 PAW PAW STREET, STE 130, PAW PAW MI 49079

269-657-8222

Plaintiff name(s), address(es), and telephone no(s).

Defendant name(s), address(es), and telephone no(s).

v

Plaintiff attorney, bar no., address, and telephone no.

Defendant attorney, bar no., address, and telephone no.

☐ Probate

In the matter of _____

IT IS ORDERED:

1. This case is ordered to mediation under ☒ MCR 2.411(A)(2) ☐ MCR 3.216

☐ a. by agreement of the parties.

☐ b. on motion of _____

☒ c. on the court's own motion.

2. The mediator will be:

☒ a. CITIZENS MEDIATION SERVICE, ST JOSEPH MICHIGAN

Name of mediator

☐ b. selected by the agreement of the parties. The parties shall advise the ADR clerk of the mediator selected by the agreement of the parties by _____ Date _____

If the parties do not advise the ADR clerk of the mediator

agreed upon by that date, the ADR clerk shall assign one as provided by the court's alternative dispute resolution plan

3. Mediation must be completed within ☐ 30 ☒ 60 ☐ 90 ☐ _____ days of the date this order is entered

The mediator shall promptly confer with the parties to schedule mediation within the deadline **THE RESULTS OF THE**

MEDIATION SHALL BE SUBMITTED TO THE COURT BY CMS WITHIN 14 DAYS OF CONCLUSION.
4. The costs of mediation shall be divided by the parties on a pro-rata basis unless otherwise agreed to by the parties or ordered by the court or, for persons unable to pay for mediation, as provided by the court's alternative dispute resolution plan.

5. Unless otherwise ordered by the court:

☒ a. persons with authority to settle the case, including the parties to the action, their agents, representatives of lien holders and representatives of insurance carriers shall be: ☒ present at the mediation. ☐ available by telephone at the time of the conference. The parties must provide to the mediator, as soon as possible, the names of the above mentioned individuals. **THE PARTIES SHALL BRING ALL NECESSARY EXHIBITS TO THE MEDIATION.**

☐ b. the attorneys who intend to try the case shall attend the mediation.

Date _____

Judge ROBERT T. HENTCHEL P28946

Bar no _____

NOTICE: A party may move to set aside or modify an order for mediation within 14 days after entry of the order.

CERTIFICATE OF MAILING

I certify that on this date a copy of this order was mailed to the parties/attorneys by ordinary mail at the addresses stated above

Date _____

Signature _____

CASE SCHEDULING ORDER
(All Civil Cases)

Event	Date	Time
ADR Pretrial	Wednesday,	11:00 a.m.
Pretrial	Wednesday,	11:30 a.m.
Trial	Monday,	9:30 a.m.

Pursuant to MCR 2.301(A) and MCR 2.401(B)(2):

1. **Information on the Web.** You may obtain more information about Judge Schmucker's procedures by going to <http://www.co.jackson.mi.us/schmucker/>. The information available includes Scheduling Orders, the Approved Mediator's List, the ADR Plan, a sample ADR Pre-Trial Stipulation and various motion and trial procedures including requesting an adjournment and scheduling a motion. Judge Schmucker's 2004 and 2005 Schedule can be checked on the Internet if you are trying to find a new date for an adjourned trial.
2. **ADR Pretrial.** The parties and/or attorneys are encouraged to develop their own ADR Plan. Attached is a proposed ADR stipulation and order. If you cannot agree on an ADR Plan, you must be present by person or by phone at the ADR Pretrial where the court will impose an ADR Plan after hearing from the parties.

An ADR Plan may be amended by stipulation. If an amended ADR Plan will affect a scheduled pretrial or trial date, you must show good cause.
3. **Pretrial Conference.** The parties are expected to be present at the pretrial or available by telephone.
4. **Witness Disclosure.** All of plaintiff's witnesses must be disclosed four months from the date the Complaint was filed. All of defendant's witnesses must be disclosed six months from the date the Complaint was filed. Witness lists must be in the form provided by MCR 2.401(I) and shall be filed with the Court.
5. **Discovery.** Discovery shall be completed six months after the case is filed. Requests for admissions may be served up to 35 days prior to any scheduled trial date.
6. **Medical Examinations.** Any medical examination required shall be completed no later than two months before trial and opposing counsel may have one month from receipt of the report to complete the discovery deposition of the examiner. If the report is not exchanged within one month of trial the witness will not be allowed to testify at trial.
7. **Exhibits.** Exhibits must be exchanged no later than two weeks prior to trial. If no objections are filed within seven days of trial, the exhibits will be admitted into evidence unless good cause is shown for the late objection. Each party submitting exhibits must file a Proof of Service listing the exhibits that have been exchanged, but the exhibits should not be filed with the Court. Any objection must refer to the specific exhibit and must set forth the reason for the objection. Any

exhibits not disclosed will not be admitted and any objection not filed will be deemed waived, unless good cause is shown for the lack of compliance with this Order.

8. **Extending Deadlines.** The parties may agree to change the witness disclosure dates and the deadlines for medical examinations, discovery, and exchange of exhibits provided the changes do not effect the pretrial or trial dates. The agreement should be in writing but does not have to be confirmed in a Court order.
9. **Motions for Summary Disposition.** If a motion for summary disposition is noticed for hearing less than 28 days prior to the scheduled trial date, the Court, in its discretion, may not decide the motion until the conclusion of the trial.
10. **Jury Instructions.** Requested jury instructions, voir dire, and trial briefs shall be filed by noon on the Friday before trial. The court will conduct all voir dire.
11. **Amending Case Scheduling Order.** Any party may move to amend this Case Scheduling Order. The motion shall be filed as soon as possible and shall contain proposed dates for modification and facts showing good cause.
12. **Service of Case Scheduling Order.** The Plaintiff must serve a copy of this Order with the Summons and Complaint and file a Proof of Service with the court. If an attorney appears in this case after the issuance of this Order, Plaintiff shall serve a copy of this order on the newly appearing attorney within 14 days of receipt of the attorney's Appearance and/or Answer.
13. **Motions.** When scheduling a motion for hearing, an additional copy of both the motion and notice of hearing should be sent directly to the Judge each time the motion is scheduled for hearing. Civil motions are heard on Monday, Thursday or Friday at 8:30 a.m. except that summary disposition or other long motions are scheduled by arranging a specific time with the Judge's secretary. The Judge's availability may be determined by calling his office at (517) 788-4365.
14. **Trial Procedures.** If attorneys plan on publishing exhibits to the jury, they are expected to have individual copies for all jurors if practicable. Trial exhibits should be labeled and marked prior to the scheduled start of the trial. After direct and cross-examination, the court will allow a limited re-direct examination that is not repetitive or cumulative. Re-cross is not allowed unless counsel can show good cause for not covering the matter during the initial cross-examination. Evidentiary objections should include the legal basis for the objection but should not include argumentative or extraneous comment.
15. **Sanctions.** Failure of either party to comply with the terms of this Order, or any modifications, may result in application of sanctions against the offending party and/or counsel, including attorney fees, and may result in dismissal of the case or default.
16. **Decorum.** Attorneys, litigants, and witnesses are expected to dress appropriately for court. Shorts and tank tops are not considered appropriate attire for adults.

Chad C. Schmucker
Circuit Judge

STATE OF MICHIGAN
IN THE 33RD CIRCUIT COURT FOR THE COUNTY OF CHARLEVOIX

XXX,

vs. **Plaintiff(s),**

File No. 00-000-20-CH
Hon. Richard M. Pajtas

XXX,

Defendant(s).

_____/

CIVIL SCHEDULING CONFERENCE ORDER
--

A scheduling conference was conducted in this matter on _____, and the parties, or their counsel having had the opportunity to participate, and the Court being fully advised in the premises;

IT IS ORDERED:

PLEADINGS ARE:

- ☐ Satisfactory, including joinder of parties and claims.
- ☐ Unsatisfactory: Amendments shall be filed by _____.

WITNESSES AND EXHIBITS:

Counsel shall file and exchange a list of witnesses and exhibits, pursuant to MCR 2.401(I) no later than _____.

EXPERT WITNESSES:

Plaintiff(s) shall disclose by _____.

Defendant(s) shall disclose by _____.

Failure to comply with this paragraph will bar the introduction of the evidence or testimony at trial unless good cause is shown by stipulation of the parties or by pretrial motion. MCR 2.401(I)(2).

DISCOVERY:

All discovery shall conclude on _____. **No further discovery shall be allowed except by leave of this Court upon good cause shown.**

MOTIONS:

All motions (except motions *in limine*) shall be heard **PRIOR** to the day of the final pretrial/settlement conference and shall strictly comply with MCR 2.119, including responses; otherwise, they will be considered untimely. **Judge's copies** of all motions and briefs shall be forwarded to **Judge Richard M. Pajtas, 33rd Circuit Court, County Building, 301 State Street, Charlevoix, MI 49720.**

CASE EVALUATION:

- ☐ Case evaluation is: X inappropriate _____ completed.
- ☐ Case evaluation shall be scheduled for _____ at _____ M.

A Case Evaluation Notice will be forwarded by the ADR Clerk. However, this Order shall constitute notice pursuant to MCR 2.403(G).

FACILITATIVE MEDIATION: Is facilitative mediation appropriate?

1 _____

—

FINAL PRETRIAL/SETTLEMENT CONFERENCE:

- ☐ Waived
- ☐ Scheduled for _____ at _____ :__ M.

CONFERENCE REQUIREMENTS:

- ✓ Submit Judge's Copy of **Trial Brief**.
- ✓ Jury Trial: Submit Judge's Copy of **Jury Instructions**, one instruction per page, starting with M Civ JI 3.01. A copy of the final instructions will be given to the jury. File only your *list* of instructions with the County Clerk.
- ✓ **Trial Counsel** and **Clients SHALL** be present. Insurance Company representatives with ultimate authority shall be immediately available by telephone as long as necessary.
- ✓ Bring your **calendar**, as a trial date will be set at the conference if the case is not settled.

TRIAL:

Estimated duration of trial: _____ days.

- ☐ **Jury**
- ☐ Non-jury

MISCELLANEOUS PROVISIONS:

IT IS FURTHER ORDERED that requests for adjournments shall be in strict compliance with MCR 2.503. Failure to comply with ***Conference Requirements***, noted above, may result in a default or dismissal against the offending party.

Entered: _____

RICHARD M. PAJTAS
Circuit Judge

xc:

r3/04

Rule 2.102 Summons; Expiration of Summons; Dismissal of Action for Failure to Serve

(A) – (C)

(D) Expiration. A summons expires 91 days after the date the complaint is filed. However, within those 91 days, on a showing of due diligence by the plaintiff in attempting to serve the original summons, the judge to whom the action is assigned may order a second summons to issue for a definite period not exceeding 1 year from the date the complaint is filed. If such an extension is granted, the new summons expires at the end of the extended period. The judge may impose just conditions on the issuance of the second summons. Duplicate summonses issued under subrule (A) do not extend the life of the original summons. The running of the 91-day period is tolled while a motion challenging the sufficiency of the summons or of the service of the summons is pending.

(E) Dismissal as to Defendant Not Served.

(1) On the expiration of the summons as provided in subrule (D), the action is deemed dismissed without prejudice as to a defendant who has not been served with process as provided in these rules, unless the defendant has submitted to the court's jurisdiction. As to a defendant added as a party after the filing of the first complaint in the action, the time provided in this rule runs from the filing of the first pleading that names that defendant as a party.

(2) After the time stated in subrule (E)(1), the clerk shall examine the court records and enter an order dismissing the action as to a defendant who has not been served with process or submitted to the court's jurisdiction. The clerk's failure to enter a dismissal order does not continue an action deemed dismissed.

(3) The clerk shall give notice of the entry of a dismissal order under MCR 2.107 and record the date of the notice in the case file. The failure to give notice does not affect the dismissal.

(F)

(G) Exception; Summary Proceedings to Recover Possession of Realty. Subrules (D), (E), and (F) do not apply to summary proceedings governed by MCL 600.5701-600.5759 and by subchapter 4.200 of these rules.

Rule 2.603 Default and Default Judgment

(A) Entry; Notice; Effect.

- (1) If a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules, and that fact is made to appear by affidavit or otherwise, the clerk must enter the default of that party.
- (2) Notice of the entry must be sent to all parties who have appeared and to the defaulted party. If the defaulted party has not appeared, the notice to the defaulted party may be served by personal service, by ordinary first-class mail at his or her last known address or the place of service, or as otherwise directed by the court.
 - (a) In the district court, the court clerk shall send the notice.
 - (b) In all other courts, the notice must be sent by the party who sought entry of the default. Proof of service and a copy of the notice must be filed with the court.
- (3) Once the default of a party has been entered, that party may not proceed with the action until the default has been set aside by the court in accordance with subrule (D) or MCR 2.612.

(B) Default Judgment.

- (1) Notice of Request for Judgment.
 - (a) A party seeking a default judgment must give notice of the request for judgment to the defaulted party
 - (i) if the party against whom the judgment is sought has appeared in the action;
 - (ii) if the request for entry of judgment seeks relief different in kind from, or greater in amount than, that stated in the pleadings; or
 - (iii) if the pleadings do not state a specific amount demanded.
 - (b) The notice required by this subrule must be served at least 7 days before entry of the requested judgment.
 - (c) If the defaulted party has appeared, the notice may be given in the manner provided by MCR 2.107. If the defaulted party has not appeared, the notice may be served by personal service, by ordinary first-class mail at the defaulted party's last known address or the place of service, or as otherwise directed by the court.
 - (d) If the default is entered for failure to appear for a scheduled trial, notice under this subrule is not required.

(2) Default Judgment Entered by Clerk. On request of the plaintiff supported by an affidavit as to the amount due, the clerk may sign and enter judgment for that amount and costs against the defendant, if

(a) the plaintiff's claim against a defendant is for a sum certain or for a sum that can by computation be made certain,

(b) the default was entered because the defendant failed to appear, and

(c) the defaulted defendant is not an infant or incompetent person.

The clerk may not enter or record a judgment based on a note or other written evidence of indebtedness until the note or writing is filed with the clerk for cancellation, except by special order of the court.

(3) Default Judgment Entered by Court. In all other cases the party entitled to a judgment by default must apply to the court for the judgment.

(a) A judgment by default may not be entered against a minor or an incompetent person unless the person is represented in the action by a conservator, guardian ad litem, or other representative.

(b) If, in order for the court to enter judgment or to carry it into effect, it is necessary to

(i) take an account,

(ii) determine the amount of damages,

(iii) establish the truth of an allegation by evidence, or

(iv) investigate any other matter,

the court may conduct hearings or order references it deems necessary and proper, and shall accord a right of trial by jury to the parties to the extent required by the constitution.

(4) Notice of Entry of Judgment. The court clerk must promptly mail notice of entry of a default judgment to all parties. The notice to the defendant shall be mailed to the defendant's last known address or the address of the place of service. The clerk must keep a record that notice was given.

(C) Nonmilitary Affidavit. Nonmilitary affidavits required by law must be filed before judgment is entered in actions in which the defendant has failed to appear.

(D) –(E)

Rule 2.502 Dismissal for Lack of Progress

(A) Notice of Proposed Dismissal.

(1) On motion of a party or on its own initiative, the court may order that an action in which no steps or proceedings appear to have been taken within 91 days be dismissed for lack of progress unless the parties show that progress is being made or that the lack of progress is not attributable to the party seeking affirmative relief.

(2) A notice of proposed dismissal may not be sent with regard to a case

(a) in which a scheduling order has been entered under MCR 2.401(B)(2) and the times for completion of the scheduled events have not expired,

(b) which is set for a conference, an alternative dispute resolution process, hearing, or trial.

(3) The notice shall be given in the manner provided in MCR 2.501(C) for notice of trial.

(B) Action by Court.

(1) If a party does not make the required showing, the court may direct the clerk to dismiss the action for lack of progress. Such a dismissal is without prejudice unless the court specifies otherwise.

(2) If an action is not dismissed under this rule, the court shall enter orders to facilitate the prompt and just disposition of the action.

(C) Reinstatement of Dismissed Action. On motion for good cause, the court may reinstate an action dismissed for lack of progress on terms the court deems just. On reinstating an action, the court shall enter orders to facilitate the prompt and just disposition of the action.

(Current as of 7/01/2004)

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.745 Responding to allegations in citation; appearance in person, by representation, or by mail; admission of responsibility; acceptance of admission; denial of responsibility; scheduling of informal or formal hearing.

Sec. 745. (1) A person to whom a citation is issued under section 742 shall appear by or at the time specified in the citation and may respond to the allegations in the citation as provided in this section.

(2) If the person wishes to admit responsibility for the civil infraction, the person may do so by appearing in person, by representation, or by mail. If appearance is made by representation or mail, the court may accept the admission with the same effect as though the person personally appeared in court. Upon acceptance of the admission, the court may order any of the sanctions permitted under section 907.

(3) If the person wishes to admit responsibility for the civil infraction "with explanation", the person may do so in either of the following ways:

(a) By appearing by mail.

(b) By contacting the court in person, by mail, by telephone, or by representation to obtain from the court a scheduled date and time to appear, at which time the person shall appear in person or by representation.

(4) If a person admits responsibility for a civil infraction "with explanation" under subsection (3), the court shall accept the admission as though the person has admitted responsibility under subsection (2) and may consider the person's explanation by way of mitigating any sanction which the court may order under section 907. If appearance is made by representation or mail, the court may accept the admission with the same effect as though the person personally appeared in court, but the court may require the person to provide a further explanation or to appear in court.

(5) If the person wishes to deny responsibility for a civil infraction, the person shall do so by appearing for an informal or formal hearing. Unless the hearing date is specified on the citation, the person shall contact the court in person, by representation, by mail, or by telephone, and obtain a scheduled date and time to appear for an informal or formal hearing. The court shall schedule an informal hearing, unless the person expressly requests a formal hearing. If the hearing date is specified on the citation, the person shall appear on that date for an informal hearing unless the person contacts the court at least 10 days before that date in person, by representation, by mail, or by telephone to request a formal hearing. If the person expressly requests a formal hearing, the court shall schedule a formal hearing. If a hearing is scheduled by telephone, the court shall mail the defendant a confirming notice of that hearing by regular mail to the address appearing on the citation or to an address which may be furnished by the defendant. An informal hearing shall be conducted pursuant to section 746 and a formal hearing shall be conducted pursuant to section 747.

History: Add. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 66, Eff. Aug. 1, 1979.

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.8715 Citation; appearance; response to allegations; acceptance of admission; sanctions; admission of responsibility with explanation; effect; denial of responsibility; hearing.

Sec. 8715. (1) A person to whom a citation is issued under section 8707 shall appear by or at the time specified in the citation and, except as otherwise provided by section 8709(5), may respond to the allegations in the citation as provided in this section.

(2) If the defendant wishes to admit responsibility for the municipal civil infraction, the defendant may do so by appearing in person, by representation, or by mail. If appearance is made by representation or mail, the court may accept the admission with the same effect as though the defendant personally appeared in court. Upon acceptance of the admission, the court may order any of the sanctions permitted under section 8727.

(3) If the defendant wishes to admit responsibility for the municipal civil infraction "with explanation", the defendant may do so in either of the following ways:

(a) By appearing by mail.

(b) By contacting the court in person, by mail, by telephone, or by representation to obtain from the court a scheduled date and time for an appearance, at which time the defendant shall appear in court in person or by representation.

(4) If a defendant admits responsibility for a municipal civil infraction "with explanation" under subsection (3), the court shall accept the admission as though the defendant has admitted responsibility under subsection (2) and may consider the defendant's explanation by way of mitigating any sanction that the court may order under section 8727. If appearance is made by representation or mail, the court may accept the admission with the same effect as though the defendant personally appeared in court, but the court may require the defendant to provide a further explanation or to appear in court.

(5) If the defendant wishes to deny responsibility for a municipal civil infraction, the defendant shall do so by appearing for an informal or formal hearing. If the hearing date is not specified on the citation, the defendant shall contact the court in person, by representation, by mail, or by telephone, and obtain a scheduled date and time to appear for an informal or formal hearing. If the hearing date is specified on the citation, the defendant shall appear on that date. The hearing shall be an informal hearing, unless a formal hearing is requested by the defendant or the plaintiff as provided by section 8717. If a hearing is scheduled by telephone, the court shall mail the defendant a confirming notice of that hearing by regular mail to the address appearing on the citation or to an address that is furnished by the defendant. An informal hearing shall be conducted pursuant to section 8719, and a formal hearing shall be conducted pursuant to section 8721.

History: Add. 1994, Act 12, Eff. May 1, 1994.

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.8815 Citation; response to allegations.

Sec. 8815. (1) A person to whom a citation is issued under section 8807 shall appear by or at the time specified in the citation and may respond to the allegations in the citation as provided in this section.

(2) If the defendant wishes to admit responsibility for the state civil infraction, the defendant may do so by appearing in person, by representation, or by mail. If appearance is made by representation or mail, the court may accept the admission with the same effect as though the defendant personally appeared in court. Upon acceptance of the admission, the court may order any of the sanctions permitted under section 8827.

(3) If the defendant wishes to admit responsibility for the state civil infraction "with explanation", the defendant may do so in either of the following ways:

(a) By appearing by mail.

(b) By contacting the court in person, by mail, by telephone, or by representation to obtain from the court a scheduled date and time to appear, at which time the defendant shall appear in person or by representation.

(4) If a defendant admits responsibility for a state civil infraction "with explanation" under subsection (3), the court shall accept the admission as though the defendant has admitted responsibility under subsection (2) and may consider the defendant's explanation by way of mitigating any sanction that the court may order under section 8827. If appearance is made by representation or mail, the court may accept the admission with the same effect as though the defendant personally appeared in court, but the court may require the defendant to provide a further explanation or to appear in court.

(5) If the defendant wishes to deny responsibility for a state civil infraction, the defendant shall do so by appearing for an informal or formal hearing. If the hearing date is not specified on the citation, the defendant shall contact the court in person, by representation, by mail, or by telephone, and obtain a scheduled date and time to appear for an informal or formal hearing. If the hearing date is specified on the citation, the defendant shall appear on that date for an informal hearing unless the defendant contacts the court at least 10 days before that date in person, by representation, by mail, or by telephone to request a formal hearing. The court shall schedule an informal hearing, unless the defendant expressly requests a formal hearing. If the defendant expressly requests a formal hearing, the court shall schedule a formal hearing. If an informal or formal hearing is scheduled by telephone, the court shall mail the defendant a confirming notice of that hearing by regular mail to the address appearing on the citation or to an address that is furnished by the defendant. An informal hearing shall be conducted pursuant to section 8819, and a formal hearing shall be conducted pursuant to section 8821.

History: Add. 1995, Act 54, Eff. Jan. 1, 1996.

Rule 4.101 Civil Infraction Actions

(B) Appearances; Failure to Appear; Default Judgment.

- (1) Depending on the nature of the violation and on the procedure appropriate to the violation, a defendant may appear in person, by representation, or by mail.
- (2) A defendant may not appear by making a telephone call to the court, but a defendant may telephone the court to obtain a date to appear.
- (3) A clerk of the court may enter a default after certifying, on a form to be furnished by the court, that the defendant has not made a scheduled appearance, or has not answered a citation within the time allowed by statute.
- (4) If a defendant fails to appear or otherwise to respond to any matter pending relative to a civil infraction action, the court:
 - (a) must enter a default against the defendant;
 - (b) must make a determination of responsibility, if the complaint is sufficient;
 - (c) must impose a sanction by entering a default judgment;
 - (d) must send the defendant a notice of the entry of the default judgment and the sanctions imposed; and
 - (e) may retain the driver's license of a nonresident as permitted by statute, if the court has received that license pursuant to statute. The court need not retain the license past its expiration date.
- (5) If a defendant fails to appear or otherwise to respond to any matter pending relative to a traffic civil infraction, the court
 - (a) must notify the secretary of state of the entry of the default judgment, as required by MCL 257.732, and
 - (b) must initiate the procedures required by MCL 257.321a.
- (6) If a defendant fails to appear or otherwise to respond to any matter pending relative to a state civil infraction, the court must initiate the procedures required by MCL 257.321a.

ARTICLE I DECLARATION OF RIGHTS (EXCERPT)

§ 20 Rights of accused in criminal proceedings.

Sec. 20. In every criminal prosecution, the accused shall have the right to a speedy and public trial by an impartial jury, which may consist of less than 12 jurors in prosecutions for misdemeanors punishable by imprisonment for not more than 1 year; to be informed of the nature of the accusation; to be confronted with the witnesses against him or her; to have compulsory process for obtaining witnesses in his or her favor; to have the assistance of counsel for his or her defense; to have an appeal as a matter of right, except as provided by law an appeal by an accused who pleads guilty or nolo contendere shall be by leave of the court; and as provided by law, when the trial court so orders, to have such reasonable assistance as may be necessary to perfect and prosecute an appeal.

History: Const. 1963, Art. I, § 20, Eff. Jan. 1, 1964;—Am. H.J.R. M, approved Aug. 8, 1972, Eff. Sept. 23, 1972;—Am. S.J.R. D, approved Nov. 8, 1994, Eff. Dec. 24, 1994.

Former Constitution: See Const. 1908, Art. II, § 19.

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

768.1 Speedy trial; right of parties; duty of public officers.

Sec. 1. The people of this state and persons charged with crime are entitled to and shall have a speedy trial and determination of all prosecutions and it is hereby made the duty of all public officers having duties to perform in any criminal case, to bring such case to a final determination without delay except as may be necessary to secure to the accused a fair and impartial trial.

History: 1927, Act 175, Eff. Sept. 5, 1927;—CL 1929, 17294;—CL 1948, 768.1.

Rule 6.004 Speedy Trial

(A) Right to Speedy Trial. The defendant and the people are entitled to a speedy trial and to a speedy resolution of all matters before the court.

(B) Priorities in Scheduling Criminal Cases. The trial court has the responsibility to establish and control a trial calendar. In assigning cases to the calendar, and insofar as it is practicable,

(1) the trial of criminal cases must be given preference over the trial of civil cases, and

(2) the trial of defendants in custody and of defendants whose pretrial liberty presents unusual risks must be given preference over other criminal cases.

(C) Delay in Felony and Misdemeanor Cases; Recognizance Release. In a felony case in which the defendant has been incarcerated for a period of 6 months or more to answer for the same crime or a crime based on the same conduct or arising from the same criminal episode, or in a misdemeanor case in which the defendant has been incarcerated for a period of 28 days or more to answer for the same crime or a crime based on the same conduct or arising from the same criminal episode, the defendant must be released on personal recognizance. In computing the 28-day and 6-month periods, the court is to exclude

(1) periods of delay resulting from other proceedings concerning the defendant, including but not limited to competency and criminal responsibility proceedings, pretrial motions, interlocutory appeals, and the trial of other charges,

(2) the period of delay during which the defendant is not competent to stand trial,

(3) the period of delay resulting from an adjournment requested or consented to by the defendant's lawyer,

(4) the period of delay resulting from an adjournment requested by the prosecutor, but only if the prosecutor demonstrates on the record either

(a) the unavailability, despite the exercise of due diligence, of material evidence that the prosecutor has reasonable cause to believe will be available at a later date; or

(b) exceptional circumstances justifying the need for more time to prepare the state's case,

(5) a reasonable period of delay when the defendant is joined for trial with a codefendant as to whom the time for trial has not run, but only if good cause exists for not granting the defendant a severance so as to enable trial within the time limits applicable, and

(6) any other periods of delay that in the court's judgment are justified by good cause, but not including delay caused by docket congestion.

(D) Untried Charges Against State Prisoner.

(1) The 180-Day Rule. Except for crimes exempted by MCL 780.131(2), the prosecutor must make a good faith effort to bring a criminal charge to trial within 180 days of either of the following:

(a) the time from which the prosecutor knows that the person charged with the offense is incarcerated in a state prison or is detained in a local facility awaiting incarceration in a state prison, or

(b) the time from which the Department of Corrections knows or has reason to know that a criminal charge is pending against a defendant incarcerated in a state prison or detained in a local facility awaiting incarceration in a state prison.

For purposes of this subrule, a person is charged with a criminal offense if a warrant, complaint, or indictment has been issued against the person.

(2) Remedy. In cases covered by subrule (1)(a), the defendant is entitled to have the charge dismissed with prejudice if the prosecutor fails to make a good-faith effort to bring the charge to trial within the 180-day period. When, in cases covered by subrule (1)(b), the prosecutor's failure to bring the charge to trial is attributable to lack of notice from the Department of Corrections, the defendant is entitled to sentence credit for the period of delay. Whenever the defendant's constitutional right to a speedy trial is violated, the defendant is entitled to dismissal of the charge with prejudice.

(Current as of 7/01/2004)

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

764.15e Violation of condition of release; arrest without warrant; duties of peace officer; release on interim bond; priority to certain cases; hearing and revocation procedures.

Sec. 15e. (1) A peace officer, without a warrant, may arrest and take into custody a defendant whom the peace officer has or receives positive information that another peace officer has reasonable cause to believe is violating or has violated a condition of release imposed under section 6b of chapter V or section 2a of 1961 PA 44, MCL 780.582a.

(2) If a peace officer arrests a defendant under subsection (1), the peace officer shall do all of the following:

(a) Prepare a complaint of violation of conditional release substantially in the following format:

COMPLAINT OF VIOLATION OF CONDITIONAL RELEASE

I _____ am a peace officer. I have determined by:
(name)

_____ L.E.I.N. and verification with the police agency holding the order

_____ Certified or true copy of order

_____ Other (Describe) _____

That _____ released _____ subject to the following
(court) (name of defendant)

conditions:

(state or attach a statement of relevant conditions)

I have reasonable cause to believe that on _____ at _____ the
(date) (time)

defendent violated those conditions as follows:

(state violations)

(Signature)

(Date)

(b) If the arrest occurred within the judicial district of the court that imposed the conditions of release, both of the following:

(i) Immediately provide 1 copy of the complaint to the defendant, the original and 1 copy of the complaint to that court, and 1 copy of the complaint to the prosecuting attorney for the case in which the conditional release was granted. The law enforcement agency shall retain 1 copy of the complaint.

(ii) Bring the defendant before that court within 1 business day following the defendant's arrest to answer the charge of violating the conditions of release.

(c) If the arrest occurred outside the judicial district of the court that imposed the conditions of release, both of the following:

(i) Immediately provide 1 copy of the complaint to the defendant, and the original and 1 copy of the complaint to the district court or municipal court in the judicial district in which the violation occurred. The law enforcement agency shall retain 1 copy of the complaint.

(ii) Bring the defendant before the district court or municipal court in the judicial district in which the violation occurred within 1 business day following the arrest. The court shall determine conditions of release and promptly transfer the case to the court that released the defendant subject to conditions. The court to which the case is transferred shall notify the prosecuting attorney in writing of the alleged violation.

(3) If, in the opinion of the arresting police agency or officer in charge of the jail, it is safe to release the defendant before the defendant is brought before the court under subsection (2), the arresting police agency or officer in charge of the jail may release the defendant on interim bond of not more than \$500.00 requiring the defendant to appear at the opening of court the next business day. If the defendant is held for more than 24 hours without being brought before the court under subsection (2), the officer in charge of the jail shall note in the jail records why it was not safe to release the defendant on interim bond under this subsection.

(4) The court shall give priority to cases brought under this section in which the defendant is in custody or in which the defendant's release would present an unusual risk to the safety of any person.

(5) The hearing and revocation procedures for cases brought under this section shall be governed by Supreme court rules.

History: Add. 1993, Act 52, Eff. July 1, 1993;—Am. 1999, Act 269, Eff. July 1, 2000.

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

766.4 Preliminary examination by magistrate; time; scope; exception.

Sec. 4. Except as provided in section 4 of chapter XIIA of Act No. 288 of the Public Acts of 1939, being section 712A.4 of the Michigan Compiled Laws, the magistrate before whom any person is arraigned on a charge of having committed a felony shall set a day for a preliminary examination not exceeding 14 days after the arraignment. At the preliminary examination, a magistrate shall examine the complainant and the witnesses in support of the prosecution, on oath and, except as provided in section 2167 of the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961, being section 600.2167 of the Michigan Compiled Laws, in the presence of the accused, in regard to the offense charged and in regard to any other matters connected with the charge that the magistrate considers pertinent.

History: 1927, Act 175, Eff. Sept. 5, 1927;—CL 1929, 17196;—CL 1948, 766.4;—Am. 1970, Act 213, Imd. Eff. Oct. 4, 1970;—Am. 1974, Act 63, Eff. May 1, 1974;—Am. 1988, Act 64, Eff. Oct. 1, 1988;—Am. 1993, Act 287, Eff. Mar. 1, 1994 ;—Am. 1994, Act 167, Eff. Oct. 1, 1994.

Compiler's note: Section 2 of Act 63 of 1974 provides:

“Effective date.

“Section 2. To give judges, prosecutors, and defense counsel a reasonable opportunity to become aware of and familiar with the time periods and sequence prescribed in this amendatory act and the effects of noncompliance, sections 20 and 21 of chapter 8 of Act No. 175 of the Public Acts of 1927, being sections 768.20 and 768.21 of the Michigan Compiled Laws, as amended by this amendatory act shall take effect May 1, 1974, and apply to cases in which the arraignment on an information occurs on or after that date. The other provisions of this amendatory act shall take effect May 1, 1974 and apply to offenses committed on or after that date.”

Section 3 of Act 64 of 1988 provides: “This amendatory act shall take effect June 1, 1988.” This section was amended by Act 175 of 1988 to read as follows: “This amendatory act shall take effect October 1, 1988.”

Former law: See section 13 of Ch. 163 of R.S. 1846, being CL 1857, § 5989; CL 1871, § 7855; How., § 9466; CL 1897, § 11850; and CL 1915, § 15677.

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

766.1 Right of state and accused to prompt examination.

Sec. 1. The state and accused shall be entitled to a prompt examination and determination by the examining magistrate in all criminal causes and it is hereby made the duty of all courts and public officers having duties to perform in connection with such examination, to bring them to a final determination without delay except as it may be necessary to secure to the accused a fair and impartial examination.

History: 1927, Act 175, Eff. Sept. 5, 1927;—CL 1929, 17193;—CL 1948, 766.1.

Constitutionality: There is no federal constitutional right to a preliminary examination or hearing in a criminal prosecution. The procedure is left to the states. In Michigan, the right is statutory. *People v. Johnson*, 427 Mich. 98, 398 N.W.2d 219 (1986).

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

257.625b Arraignment of person arrested for misdemeanor violation; pretrial conference; advising accused of maximum penalty before acceptance of plea; screening, assessment, and rehabilitative services; action by secretary of state pending appeal.

Sec. 625b. (1) A person arrested for a misdemeanor violation of section 625(1), (3), (6), (7), or (8) or section 625m or a local ordinance substantially corresponding to section 625(1), (3), (6), or (8) or section 625m shall be arraigned on the citation, complaint, or warrant not more than 14 days after the arrest for the violation or, if an arrest warrant is issued or reissued, not more than 14 days after the issued or reissued arrest warrant is served, whichever is later. The court shall not dismiss a case or impose any other sanction for a failure to comply with this time limit. The time limit does not apply to a violation of section 625(1), (3), (7), or (8) or section 625m punishable as a felony or a violation of section 625(1), (3), (6), (7), or (8) or section 625m joined with a felony charge.

(2) The court shall schedule a pretrial conference between the prosecuting attorney, the defendant, and the defendant's attorney in each case in which the defendant is charged with a misdemeanor violation of section 625(1), (3), (6), (7), or (8) or section 625m or a local ordinance substantially corresponding to section 625(1), (3), (6), or (8) or section 625m. The pretrial conference shall be held not more than 35 days after the person's arrest for the violation or, if an arrest warrant is issued or reissued, not more than 35 days after the issued or reissued arrest warrant is served, whichever is later. If the court has only 1 judge who sits in more than 1 location in that district, the pretrial conference shall be held not more than 42 days after the person's arrest for the violation or, if an arrest warrant is issued or reissued, not more than 42 days after the date the issued or reissued arrest warrant is served, whichever is later. The court shall not dismiss a case or impose any other sanction for a failure to comply with the applicable time limit. The 35- and 42-day time limits do not apply to a violation of section 625(1), (3), (7), or (8) or section 625m punishable as a felony or a violation of section 625(1), (3), (6), (7), or (8) or section 625m joined with a felony charge. The court shall order the defendant to attend the pretrial conference and may accept a plea by the defendant at the conclusion of the pretrial conference. The court may adjourn the pretrial conference upon the motion of a party for good cause shown. Not more than 1 adjournment shall be granted to a party, and the length of an adjournment shall not exceed 14 days.

(3) Except for delay attributable to the unavailability of the defendant, a witness, or material evidence or due to an interlocutory appeal or exceptional circumstances, but not a delay caused by docket congestion, the court shall finally adjudicate, by a plea of guilty or nolo contendere, entry of a verdict, or other final disposition, a case in which the defendant is charged with a misdemeanor violation of section 625(1), (3), (6), (7), or (8) or section 625m or a local ordinance substantially corresponding to section 625(1), (3), (6), or (8) or section 625m, within 77 days after the person is arrested for the violation or, if an arrest warrant is issued or reissued, not more than 77 days after the date the issued or reissued arrest warrant is served, whichever is later. The court shall not dismiss a case or impose any other sanction for a failure to comply with this time limit. The 77-day time limit does not apply to a violation of section 625(1), (3), (7), or (8) or section 625m punishable as a felony or a violation of section 625(1), (3), (6), (7), or (8) or section 625m joined with a felony charge.

(4) Before accepting a plea of guilty or nolo contendere under section 625 or a local ordinance substantially corresponding to section 625(1), (2), (3), (6), or (8), the court shall advise the accused of the maximum possible term of imprisonment and the maximum possible fine that may be imposed for the violation and shall advise the defendant that the maximum possible license sanctions that may be imposed will be based upon the master driving record maintained by the secretary of state under section 204a.

(5) Before imposing sentence for a violation of section 625(1), (3), (4), (5), (6), (7), or (8) or a local ordinance substantially corresponding to section 625(1), (3), (6), or (8), the court shall order the person to undergo screening and assessment by a person or agency designated by the office of substance abuse services to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs. Except as otherwise provided in this subsection, the court may order the person to participate in and successfully complete 1 or more appropriate rehabilitative programs as part of the sentence. If the person has 1 or more prior convictions, the court shall order the person to participate in and successfully complete 1 or more appropriate rehabilitative programs as part of the sentence. The person shall pay for the costs of the screening,

assessment, and rehabilitative services.

(6) If the judgment and sentence are appealed to circuit court, the court may ex parte order the secretary of state to stay the suspension, revocation, or restricted license issued by the secretary of state pending the outcome of the appeal.

History: Add. 1966, Act 243, Eff. Mar. 10, 1967;—Am. 1976, Act 285, Eff. Apr. 1, 1977;—Am. 1980, Act 515, Eff. Apr. 1, 1981;—Am. 1982, Act 309, Eff. Mar. 30, 1983;—Am. 1987, Act 109, Eff. Mar. 30, 1988;—Am. 1991, Act 93, Eff. Jan. 1, 1992;—Am. 1991, Act 100, Eff. Jan. 1, 1993;—Am. 1993, Act 359, Eff. Sept. 1, 1994;—Am. 1994, Act 211, Eff. Nov. 1, 1994;—Am. 1994, Act 450, Eff. May 1, 1995;—Am. 1998, Act 357, Eff. Oct. 1, 1999;—Am. 2004, Act 62, Eff. May 3, 2004.

Compiler's note: Section 2 of Act 309 of 1982 provides: "All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory act, or initiated after the effective date of this amendatory act for an offense committed before that effective date."

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF CHARLEVOIX

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

File No. 00-000-09-FH
Hon. Richard M. Pajtas

XXX,

Defendant,

_____/

CRIMINAL SCHEDULING CONFERENCE ORDER

A scheduling conference was conducted in this matter on _____, and the parties, or their counsel having had the opportunity to participate, and the Court being fully advised in the premises;

IT IS ORDERED:

FORENSIC CENTER REFERRAL:

- ☐ Not Requested
- ☐ Criminal Responsibility. Notice of Insanity* filed by _____, or waived.
- ☐ Competency to Stand Trial

*Order Referring to Forensic Center will be prepared and filed by the Court upon receipt of a copy on the Notice of Insanity provided by defense counsel.

PLEA AGREEMENT CUTOFF:

The Court will accept no reduced pleas pursuant to a plea agreement between defense and prosecution after _____.

MOTIONS:

All motions shall be heard not later than _____.

Any motions not heard by such date shall be deemed waived in the absence of a showing of good cause for such untimeliness.

Motions requiring **EVIDENTIARY HEARING** shall be heard on:

_____ at _____ .m.

Motions requiring evidentiary hearing and supporting briefs shall be filed by

_____ or they will be deemed waived.

All parties shall strictly comply with MCR 2.119, including responses. **Judge's copies** of all motions and briefs shall be forwarded to **Judge Richard M. Pajtas, 33rd Circuit Court, County Building, 301 State Street, Charlevoix, MI 49720.**

TRIAL DATE:

Estimated duration of trial: _____ days.

☐ JURY

☐ NON-JURY

Set for _____ at 8:30 a.m.

JURY INSTRUCTIONS:

Not later than three (3) days before jury trial counsel shall submit full text jury instructions in the order they are requested to be given starting with CJI2d 3.1. There shall be no more than one instruction per page. Blanks should be filled in and alternative

provisions stricken so far as possible before trial so that a copy can be given to the jury.
File only your *list* of instructions with the County Clerk.

MISCELLANEOUS PROVISIONS:

IT IS FURTHER ORDERED that requests for adjournments shall be in strict compliance with MCR 2.503.

Entered:

RICHARD M. PAJTAS
Circuit Judge

xc: Prosecuting Attorney
Defense Attorney
Probation Department
Charlevoix County Sheriff

R3/04

Rule 2.503 Adjournments

(A) Applicability. This rule applies to adjournments of trials, alternative dispute resolution processes, pretrial conferences, and all motion hearings.

(B) Motion or Stipulation for Adjournment.

(1) Unless the court allows otherwise, a request for an adjournment must be by motion or stipulation made in writing or orally in open court and is based on good cause.

(2) A motion or stipulation for adjournment must state

(a) which party is requesting the adjournment,

(b) the reason for it, and

(c) whether other adjournments have been granted in the proceeding and, if so, the number granted.

(3) The entitlement of a motion or stipulation for adjournment must specify whether it is the first or a later request, e.g., "Plaintiff's Request for Third Adjournment."

(C) Absence of Witness or Evidence.

(1) A motion to adjourn a proceeding because of the unavailability of a witness or evidence must be made as soon as possible after ascertaining the facts.

(2) An adjournment may be granted on the ground of unavailability of a witness or evidence only if the court finds that the evidence is material and that diligent efforts have been made to produce the witness or evidence.

(3) If the testimony or the evidence would be admissible in the proceeding, and the adverse party stipulates in writing or on the record that it is to be considered as actually given in the proceeding, there may be no adjournment unless the court deems an adjournment necessary.

(D) Order for Adjournment; Costs and Conditions.

(1) In its discretion the court may grant an adjournment to promote the cause of justice. An adjournment may be entered by order of the court either in writing or on the record in open court, and the order must state the reason for the adjournment.

(2) In granting an adjournment, the court may impose costs and conditions. When an adjournment is granted conditioned on payment of costs, the costs may be taxed summarily to be paid on demand of the adverse party or the adverse party's attorney, and the adjournment may be vacated if nonpayment is shown by affidavit.

(E) Rescheduling.

(1) Except as provided in subrule (E)(2), at the time the proceeding is adjourned under this rule, or as soon thereafter as possible, the proceeding must be rescheduled for a specific date and time.

(2) A court may place the matter on a specified list of actions or other matters which will automatically reappear before the court on the first available date.

(F) Death or Change of Status of Attorney. If the court finds that an attorney

(1) has died or is physically or mentally unable to continue to act as an attorney for a party,

(2) has been disbarred,

(3) has been suspended,

(4) has been placed on inactive status, or

(5) has resigned from active membership in the bar, the court shall adjourn a proceeding in which the attorney was acting for a party. The party is entitled to 28 days' notice that he or she must obtain a substitute attorney or advise the court in writing that the party intends to appear on his or her own behalf. See MCR 9.119.

(Current as of 7/01/2004)

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

766.7 Adjournment, continuance, or delay of preliminary examination.

Sec. 7. A magistrate may adjourn a preliminary examination for a felony to a place in the county as the magistrate deems necessary. The accused may in the meantime be committed either to the county jail or to the custody of the officer by whom he was arrested or to any other officer; or, unless he is charged with treason or murder, he may be admitted to bail. An adjournment, continuance, or delay of a preliminary examination shall not be granted by a magistrate except for good cause shown. A magistrate shall not adjourn, continue, or delay the examination of any cause by the consent of the prosecution and accused unless in his discretion it shall clearly appear by a sufficient showing to the magistrate to be entered upon the record that the reasons for such consent are founded upon strict necessity and that the examination of the cause cannot then be had, or a manifest injustice will be done. An action on the part of the magistrate in adjourning or continuing any case, shall not cause the magistrate to lose jurisdiction of the case.

History: 1927, Act 175, Eff. Sept. 5, 1927;—CL 1929, 17199;—CL 1948, 766.7;—Am. 1974, Act 63, Eff. May 1, 1974.

Compiler's note: Section 2 of Act 63 of 1974 provides:

“Effective date.

“Section 2. To give judges, prosecutors, and defense counsel a reasonable opportunity to become aware of and familiar with the time periods and sequence prescribed in this amendatory act and the effects of noncompliance, sections 20 and 21 of chapter 8 of Act No. 175 of the Public Acts of 1927, being sections 768.20 and 768.21 of the Michigan Compiled Laws, as amended by this amendatory act shall take effect May 1, 1974, and apply to cases in which the arraignment on an information occurs on or after that date. The other provisions of this amendatory act shall take effect May 1, 1974 and apply to offenses committed on or after that date.”

Former law: See section 10 of Ch. 163 of R.S. 1846, being CL 1857, § 5986; CL 1871, § 7852; How., § 9463; CL 1897, § 11847; and CL 1915, § 15674.

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

766.11a Expert testimony; conduct by telephonic, voice, or video conferencing.

Sec. 11a. On motion of either party, the magistrate may permit the testimony of an expert witness or, upon a showing of good cause, any witness to be conducted by means of telephonic, voice, or video conferencing.

History: Add. 2004, Act 20, Imd. Eff. Mar. 4, 2004.

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

257.321a Failure to answer citation or notice to appear in court; failure to comply with order or judgment; misdemeanor; notice and duration of suspension; exceptions; effect of failure to appear; giving copy of information transmitted to secretary of state to person; driver license reinstatement fees.

Sec. 321a. (1) A person who fails to answer a citation, or a notice to appear in court for a violation reportable to the secretary of state under section 732 or a local ordinance substantially corresponding to a violation of a law of this state reportable to the secretary of state under section 732, or for any matter pending, or who fails to comply with an order or judgment of the court, including, but not limited to, paying all fines, costs, fees, and assessments, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both. A violation of this subsection or failure to answer a citation or notice to appear for a violation of section 33b(1) of former 1933 (Ex Sess) PA 8, section 703(1) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance substantially corresponding to either of those sections shall not be considered a violation for any purpose under section 320a.

(2) Except as provided in subsection (3), 28 days or more after a person fails to answer a citation, or a notice to appear in court for a violation reportable to the secretary of state under section 732 or a local ordinance substantially corresponding to a violation of a law of this state reportable to the secretary of state under section 732, or for any matter pending, or fails to comply with an order or judgment of the court, including, but not limited to, paying all fines, costs, fees, and assessments, the court shall give notice by mail at the last known address of the person that if the person fails to appear or fails to comply with the order or judgment within 14 days after the notice is issued, the secretary of state shall suspend the person's operator's or chauffeur's license. If the person fails to appear or fails to comply with the order or judgment within the 14-day period, the court shall, within 14 days, inform the secretary of state, who shall immediately suspend the license of the person. The secretary of state shall immediately notify the person of the suspension by regular mail at the person's last known address.

(3) If the person is charged with, or convicted of, a violation of section 625(1), (2), (3), (6), or (8) and the person fails to answer a citation or a notice to appear in court, or for any matter pending, or fails to comply with an order or judgment of the court, including, but not limited to, paying all fines, costs, and crime victim rights assessments, the court shall immediately give notice by first-class mail sent to the person's last known address that if the person fails to appear within 7 days after the notice is issued, or fails to comply with the order or judgment of the court, including, but not limited to, paying all fines, costs, and crime victim rights assessments, within 14 days after the notice is issued, the secretary of state shall suspend the person's operator's or chauffeur's license. If the person fails to appear within the 7-day period, or fails to comply with the order or judgment of the court, including, but not limited to, paying all fines, costs, and crime victim rights assessments, within the 14-day period, the court shall immediately inform the secretary of state who shall immediately suspend the person's operator's or chauffeur's license and notify the person of the suspension by first-class mail sent to the person's last known address.

(4) If the person is charged with, or convicted of, a violation of section 33b(1) of former 1933 (Ex Sess) PA 8, section 703(1) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, section 624a, section 624b, or a local ordinance substantially corresponding to those sections and the person fails to answer a citation or a notice to appear in court issued pursuant to section 33b of former 1933 (Ex Sess) PA 8, section 703 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, section 624a, section 624b, or a local ordinance substantially corresponding to those sections or fails to comply with an order or judgment of the court issued pursuant to section 33b of former 1933 (Ex Sess) PA 8, section 703 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, section 624a, section 624b, or a local ordinance substantially corresponding to those sections including, but not limited to, paying all fines and costs, the court shall immediately give notice by first-class mail sent to the person's last known address that if the person fails to appear within 7 days after the notice is issued, or fails to comply with the order or judgment of the court, including, but not limited to, paying all fines and costs, within 14 days after the notice is issued, the secretary of state shall suspend the person's operator's or chauffeur's license. If the person fails to appear within the 7-day period, or fails to comply with the order or

judgment of the court, including, but not limited to, paying all fines and costs, within the 14-day period, the court shall immediately inform the secretary of state who shall immediately suspend the person's operator's or chauffeur's license and notify the person of the suspension by first-class mail sent to the person's last known address.

(5) A suspension imposed under subsection (2) or (3) remains in effect until both of the following occur:

(a) The secretary of state is notified by each court in which the person failed to answer a citation or notice to appear or failed to pay a fine or cost that the person has answered that citation or notice to appear or paid that fine or cost.

(b) The person has paid to the court a \$45.00 driver license clearance fee for each failure to answer a citation or failure to pay a fine or cost.

(6) The court shall not notify the secretary of state, and the secretary of state shall not suspend the person's license, if the person fails to appear in response to a citation issued for, or fails to comply with an order or judgment involving 1 or more of the following infractions:

(a) The parking or standing of a vehicle.

(b) A pedestrian, passenger, or bicycle violation, other than a violation of section 33b(1) or (2) of former 1933 (Ex Sess) PA 8, section 703(1) or (2) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, section 624a or 624b, or a local ordinance substantially corresponding to section 33b(1) or (2) of former 1933 (Ex Sess) PA 8, section 703(1) or (2) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or section 624a or 624b.

(7) The court may notify a person who has done either of the following, that if the person does not appear within 10 days after the notice is issued, the court will inform the secretary of state of the person's failure to appear:

(a) Failed to answer 2 or more parking violation notices or citations for violating a provision of this act or an ordinance substantially corresponding to a provision of this act pertaining to parking for persons with disabilities.

(b) Failed to answer 6 or more parking violation notices or citations regarding illegal parking.

(8) The secretary of state, upon being informed of the failure of a person to appear or comply as provided in subsection (7), shall not issue a license to the person or renew a license for the person until both of the following occur:

(a) The court informs the secretary of state that the person has resolved all outstanding matters regarding the notices or citations.

(b) The person has paid to the court a \$45.00 driver license clearance fee. If the court determines that the person is responsible for only 1 parking violation under subsection (7)(a) or less than 6 parking violations under subsection (7)(b) for which the person's license was not issued or renewed under this subsection, the court may waive payment of the fee.

(9) Not less than 28 days after a person fails to appear in response to a citation issued for, or fails to comply with an order or judgment involving, a state civil infraction described in chapter 88 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8801 to 600.8835, the court shall give notice by ordinary mail, addressed to the person's last known address, that if the person fails to appear or fails to comply with the order or judgment described in this subsection within 14 days after the notice is issued, the court will give to the secretary of state notice of that failure. Upon receiving notice of that failure, the secretary of state shall not issue or renew an operator's or chauffeur's license for the person until both of the following occur:

(a) The court informs the secretary of state that the person has resolved all outstanding matters regarding each notice or citation.

(b) The person has paid to the court a \$45.00 driver license clearance fee. If the court determines that the person is not responsible for any violation for which the person's license was not issued or renewed under this subsection, the court shall waive the fee.

(10) For the purposes of subsections (5)(a), (8)(a), and (9)(a), the court shall give to the person a copy of the information being transmitted to the secretary of state. Upon showing that copy, the person shall not be arrested or issued a citation for driving on a suspended license, on an expired license, or without a license on the basis of any matter resolved under subsection (5)(a), (8)(a), or (9)(a), even if the information being sent to the secretary of state has not yet been received or recorded by the department.

(11) For each fee received under subsection (5)(b), (8)(b), or (9)(b), the court shall transmit the following amounts on a monthly basis:

(a) Fifteen dollars to the secretary of state. The funds received by the secretary of state under this subdivision shall be deposited in the state general fund and shall be used to defray the expenses of the secretary of state in processing the suspension and reinstatement of driver licenses under this section.

(b) Fifteen dollars to 1 of the following, as applicable:

(i) If the matter is before the circuit court, to the treasurer of the county for deposit in the general fund.
(ii) If the matter is before the district court, to the treasurer of the district funding unit for that court, for deposit in the general fund. As used in this section, "district funding unit" means that term as defined in section 8104 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8104.

(iii) If the matter is before a municipal court, to the treasurer of the city in which the municipal court is located, for deposit in the general fund.

(c) Fifteen dollars to the juror compensation reimbursement fund created in section 151d of the revised judicature act of 1961, 1961 PA 236, MCL 600.151d.

(12) Section 819 does not apply to a reinstatement fee collected for an operator's or chauffeur's license that is not issued or renewed under section 8827 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8827.

History: Add. 1968, Act 332, Eff. Jan. 1, 1969;—Am. 1978, Act 391, Eff. Jan. 15, 1979;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1980, Act 518, Eff. Mar. 31, 1981;—Am. 1987, Act 232, Imd. Eff. Dec. 28, 1987;—Am. 1988, Act 205, Eff. July 1, 1988;—Am. 1988, Act 346, Eff. Oct. 1, 1989;—Am. 1989, Act 89, Eff. Sept. 19, 1989;—Am. 1991, Act 95, Eff. Jan. 1, 1992;—Am. 1994, Act 211, Eff. Nov. 1, 1994;—Am. 1995, Act 55, Eff. Jan. 1, 1996;—Am. 1996, Act 493, Eff. Apr. 1, 1997;—Am. 1998, Act 68, Imd. Eff. May 4, 1998;—Am. 1998, Act 343, Eff. Oct. 1, 1999;—Am. 1999, Act 73, Eff. Oct. 1, 1999;—Am. 2002, Act 741, Eff. Jan. 1, 2003;—Am. 2004, Act 62, Eff. May 3, 2004.

Compiler's note: Section 2 of Act 205 of 1988 provides: "This amendatory act shall take effect July 1, 1988 and apply to violations which occur on or after that date."

Section 2 of Act 346 of 1988 provides:

"(1) Except as otherwise provided in this section, this amendatory act shall take effect October 1, 1989.

"(2) Sections 634, 710g, 722, 723, 724, 802, and 907 of this amendatory act shall take effect January 1, 1989.

"(3) Sections 4B and 801 of this amendatory act shall take effect upon the date of enactment of this amendatory act."

Section 2 of Act 173 of 1989 provides:

"(1) The amendments made to sections 8b, 57, 67a, 301, 303, 305, 306, 307, 309, 310, 312d, 312e, 312f, 312g, 312h, 314, 314b, 319a, 321a, 323, 728, 732, 743, and 907 of Act No. 300 of the Public Acts of 1949, being sections 257.8b, 257.57, 257.67a, 257.301, 257.303, 257.305, 257.306, 257.307, 257.309, 257.310, 257.312d, 257.312e, 257.312f, 257.312g, 257.312h, 257.314, 257.314b, 257.319a, 257.321a, 257.323, 257.728, 257.732, 257.743, and 257.907 of the Michigan Compiled Laws, by Act No. 346 of the Public Acts of 1988 shall take effect January 1, 1990.

"(2) Enacting section 2 of Act No. 346 of the Public Acts of 1988 is repealed."

Code: Z A

Notice Calculation

DFJ	<u>7</u>	days delinquent, a Default Judgment will be produced.
ABS	<u>14</u>	days delinquent, a Default Abstract will be produced.
FDC	<u>30</u>	days delinquent, a 14-day notice, Civil Inf. will be produced.
FAC	<u>45</u>	days delinquent, a FAC/FCJ/FCPV will be produced.
FDM	<u>30</u>	days delinquent, a 14-day notice, Misdem. will be produced.
WAM	<u>50</u>	days delinquent, a Warrant Misdem. will be produced.
WAN	<u>50</u>	days delinquent, a Warrant Notice will be produced.
NNC	<u>3</u>	days delinquent, a Notice of Non-Compliance will be produced.
FAD	<u>14</u>	days delinquent, a FAC for Drunk Driving will be produced.
FJD		days delinquent, a FCJ for Drunk Driving will be produced.
20%	<u>57</u>	days delinquent, a 20% late penalty will be assessed.
DUE	<u>30</u>	days after Iss/Offns is the Due Date, 0 to force entry of a Due Date
RVC	<u>2</u>	days before 'RVC' date case is to appear on the Civil Review List.

Zero will stop any of the Traffic/Criminal Notices and 20% Late Penalty

F1-Clear Screen F4-Prompt F24-Previous Menu Page/Roll Help

Date of Offense + 30 days + 7 days → Default
Age at default = 37 days

JMS:

Date of offense + 10^{*}days + X^{**}days → Default

* Check for court modification

** Check for court pre-set number in Control Recor

JIS:

Notice Days Inquiry & Update

8/25/04 15:45:07

Code: ZB

Notice Calculation

DFJ 7 days delinquent, a Default Judgment will be produced.
 ABS 14 days delinquent, a Default Abstract will be produced.
 FDC 28 days delinquent, a 14-day notice, Civil Inf. will be produced.
 FAC 45 days delinquent, a FAC/FCJ/FCPV will be produced.
 FDM 28 days delinquent, a 14-day notice, Misdem. will be produced.
 WAM 49 days delinquent, a Warrant Misdem. will be produced.
 WAN 49 days delinquent, a Warrant Notice will be produced.
 NNC 6 days delinquent, a Notice of Non-Compliance will be produced.
 FAD 16 days delinquent, a FAC for Drunk Driving will be produced.
 FJD days delinquent, a FCJ for Drunk Driving will be produced.
 20% 57 days delinquent, a 20% late penalty will be assessed.

DUE 14 days after Iss/Offns is the Due Date, 0 to force entry of a Due Date
 RVC 2 days before 'RVC' date case is to appear on the Civil Review List.

Date of offense + 14 days + 7 days → Default
 Age at default = 21 days

JIS:

Notice Days Inquiry & Update

8/25/04 15:44:33

Code: ZC

Notice Calculation

DFJ 7 days delinquent, a Default Judgment will be produced.
 ABS 14 days delinquent, a Default Abstract will be produced.
 FDC 35 days delinquent, a 14-day notice, Civil Inf. will be produced.
 FAC 51 days delinquent, a FAC/FCJ/FCPV will be produced.
 FDM 35 days delinquent, a 14-day notice, Misdem. will be produced.
 WAM 10 days delinquent, a Warrant Misdem. will be produced.
 WAN 10 days delinquent, a Warrant Notice will be produced.
 NNC 10 days delinquent, a Notice of Non-Compliance will be produced.
 FAD 21 days delinquent, a FAC for Drunk Driving will be produced.
 FJD days delinquent, a FCJ for Drunk Driving will be produced.
 20% 64 days delinquent, a 20% late penalty will be assessed.

DUE 10 days after Iss/Offns is the Due Date, 0 to force entry of a Due Date
 RVC 2 days before 'RVC' date case is to appear on the Civil Review List.

Zero will stop any of the Traffic/Criminal Notices and 20% Late Penalty

F1-Clear Screen F4-Prompt F24-Previous Menu Page/Roll Help

Date of offense + 10 days + 7 days → Default
 Age at default = 17 days

Clearance Rates - District and Municipal Courts

Clearance Rate = Adjudications / Cases Filed or Reopened

Region	District or Municipal Court	Case Category	2002			2003		
			Cases Filed or Reopened	Number of Adjudications	Clearance Rate	Cases Filed or Reopened	Number of Adjudications	Clearance Rate
	District Court	Felony and Extradition	3,691	3,679	100%	3,423	3,444	101%
	District Court	Misdemeanors	16,938	16,951	100%	14,151	14,847	105%
	District Court	Civil Infractions	35,322	35,221	100%	30,566	30,701	100%
	District Court	General Civil	4,487	4,949	110%	4,548	4,415	97%
	District Court	Small Claims and Summary Proceedings	5,307	6,841	129%	5,796	5,103	88%

2004 Case Age Report

01/01/2004 through 12/31/2004

Region 5
100th District Court of Motor County
Judge Gold

-Continuation of Previous Page-

	SM		OM		Misdemeanor Criminal Total		SD		OD		Drunk Driving Total	
	#	Rate	#	Rate	#	Rate	#	Rate	#	Rate	#	Rate
Disposed within 63 days.....	20	12.2	30	12.8	50	12.6	20	12.2	30	12.8	50	12.6
Disposed within 91 days.....	41	29.5	61	30.7	102	30.2	41	29.5	61	30.7	102	30.2
Disposed within 126 days.....	63	55.8	93	57.1	156	56.5	63	55.8	93	57.1	156	56.5
Disposed after 126 days.....	23		33		56		23		33		56	
Pending with an age from 64 to 91 days.....	25		35		60		25		35		60	
Pending with an age from 92 to 126 days.....	26		36		62		26		36		62	
Pending with an age over 126 days	27		37		64		27		37		64	

Case Types: Reduced From Felony (FY)
Reduced From Felony Drunk Driving (FD)
Reduced From Felony Traffic (FT)

Statute Non-Traffic Misdemeanor (SM)
Ordinance Non-Traffic Misdemeanor (OM)
Statute Misdemeanor Drunk Driving (SD)
Ordinance Misdemeanor Drunk Driving (OD)
Statute Misdemeanor Traffic (ST)
Ordinance Misdemeanor Traffic (OT)

-Continued on Next Page-



**Michigan Supreme Court
State Court Administrative Office**

P.O. Box 30048
Lansing, Michigan 48909
Phone: (517) 373-0130 Fax: (517) 373-2112
John D. Ferry, Jr., State Court Administrator

Memorandum

DATE: August 3, 2004

TO: Chief Judges
cc: Court Administrators, Clerks, and Registers

FROM: John D. Ferry, Jr.

RE: Conducting a Physical Pending Case Inventory Prior to Implementation of Part 4 of the Caseload Reporting System on January 1, 2005

Part 4 of the Caseload Reporting System is to be implemented on January 1, 2005. In an effort to begin 2005 with good data, a physical pending case inventory of all cases should be conducted by December 31, 2004. If court closure will be necessary in order to complete the inventory, courts should begin their planning as soon as possible in order to submit their local administrative orders in a timely fashion.

How to Conduct a Pending Case Inventory

There are two types of pending case inventories. The first type is a count of all cases pending by each case type, as defined by the instructions for the quarterly caseload report. The second type not only counts the cases pending, but also identifies the age and status of each case in order to compute the court's time guidelines performance.

A pending inventory should be conducted at least biennially, at the conclusion of a calendar year. Such an inventory involves a comparison of all cases without adjudication in the court's filing system of open cases against a manual or computerized tracking system report.

If a court utilizes case management software which allows a pending case report to be printed, the report should be produced in the same fashion as cases are filed. A manual report is usually created in case number order as each new case is filed with the court. Whether manual or computerized, the report should include the following information: case number, party name(s), date of complaint, last action date, and next action date.

A comparison between cases in the open files and cases on the pending inventory list may be done either by starting with the list and locating the files, or by going to the shelf or drawer and

comparing all files with the list. While either method will work, the preferred method is to compare the cases in the open shelves/drawers to the inventory list. This method will allow staff to look at every file to identify cases which may have been misfiled.

Every case appearing on the list/report must be located and compared with the last action and next action dates on the list. Where discrepancies exist, the manual report list or the case management software record should be corrected.

After all records and cases have been examined, in courts with case management software the report should be re-run. The total number of cases remaining as pending on either the manual or automated report in each case type code is reported as "Beginning Pending" in the next calendar year's first quarter caseload report.

DATE 6/30/04

CASES WITH EVENTS PASSED OR MISSING
AS OF 06/30/2004
FOR DIVISION 1

PAGE 1

AGE	LAST EVENT CODE/DATE	CASE #	PLAINTIFF NAME
1392	RCC 11/14/00 00-	6325-SP -1	LAWTON, PENNY
1203	RCC 6/07/01 01-	6405-SP -1	GREAT LAKES STRAITS LLC
779	OSC 3/08/04 02-	4224-GC -1	NORTHERN MI HOSPITALS INC
755	SCH 7/10/02 02-	7083-SC -1	GARY'S SNOWPLOWS
728	SCH 8/14/02 02-	7104-SC -1	H & B PLUMBING & HEATING
639	DIS 10/13/03 02-	7237-SC -1	STRAITS AREA FEDERAL
635	DIS 10/13/03 02-	7245-SC -1	MIYAMOTO MD PC, KEITH Y.
629	DIS 10/13/03 02-	7250-SC -1	CORDWOOD POINTE ASSOC
617	DIS 10/13/03 02-	7262-SC -1	FIRST FEDERAL OF NO MI
800	HE 5/01/02 02-	6562A-LT -1	COUNTRYWIDE HOME LOANS
498	NOD 4/01/04 03-	4601-GC -1	L.J. ORMSBEE MOTORS
492	CF 2/24/03 03-	4610-GC -1	CAPITAL ONE BANK
476	NNP 5/27/04 03-	4647-GC -1	CAPITAL ONE BANK
453	NNP 4/23/04 03-	4709-GC -1	GILBERT & GILBERT PC
386	TBS 6/16/04 03-	4829-GC -1	SPECTRUM HEALTH
379	CF 6/17/03 03-	4839-GC -1	CAPITAL ONE BANK
351	DIS 6/02/04 03-	4880-GC -1	ASSET ACCEPTANCE LLC
351	DIS 6/02/04 03-	4881-GC -1	ASSET ACCEPTANCE LLC
345	DIS 6/02/04 03-	4890-GC -1	ASSET ACCEPTANCE LLC
345	DIS 6/02/04 03-	4891-GC -1	ASSET ACCEPTANCE LLC
344	NNP 6/02/04 03-	4892-GC -1	BLOOMFIELD FINANCIAL
344	CF 7/22/03 03-	4894-GC -1	MANAGEMENT RESOURCES
338	CF 7/28/03 03-	4904-GC -1	CAPITAL ONE
337	CF 7/29/03 03-	4907-GC -1	PLATINUM FINANCIAL SERV.
336	NOB 6/24/04 03-	4911-GC -1	DISCOVER BANK
331	CF 8/04/03 03-	4924-GC -1	MIDLAND CREDIT MANAGEMENT
331	CF 8/04/03 03-	4929-GC -1	CHEBOYAN MEMORIAL HOSP.
324	CF 8/11/03 03-	4933-GC -1	CAPITAL ONE
324	CF 8/11/03 03-	4936-GC -1	PROVIDENCE HOSPITAL
316	CF 8/19/03 03-	4946-GC -1	LINCOLN FINANCIAL RECOV
299	CF 9/05/03 03-	4971-GC -1	GREAT SENECA FINANCIAL
294	CF 9/10/03 03-	4983-GC -1	NORTHERN MI HOSPITALS INC
274	CF 9/30/03 03-	5022-GC -1	RETAILERS NATIONAL BANK
274	CF 9/30/03 03-	5025-GC -1	LITTLE TRAVERSE NEONATOLO
254	CF 10/20/03 03-	5044-GC -1	ASSET ACCEPTANCE LLC
225	TBS 5/24/04 03-	5045-GC -1	PRA III
252	TBS 5/05/04 03-	5054-GC -1	BURNS CLINIC MEDICAL CENT
252	NOB 6/10/04 03-	5056-GC -1	SPRAY'S PLUMBING & HEAT
247	TBS 5/21/04 03-	5072-GC -1	NATIONAL CITY BANK
246	NOD 12/26/03 03-	5075-GC -1	CELLULAR & MORE
246	CF 10/28/03 03-	5076-GC -1	OTSEGO MEMORIAL HOSPITAL
246	TBS 4/08/04 03-	5079-GC -1	SHAW, MICHAEL JAMES
238	TBS 6/24/04 03-	5090-GC -1	STEPHENS, ROD & AMY
219	CF 11/24/03 03-	5115-GC -1	CHEBOYGAN MEMORIAL HOSP
219	CF 11/24/03 03-	5119-GC -1	CHEBOYGAN MEMORIAL HOSP
219	CF 11/24/03 03-	5120-GC -1	GREENWOOD, PATRICIA
217	TBS 2/23/04 03-	5127-GC -1	FISH, RONALD & BRENDA
210	CF 12/03/03 03-	5131-GC -1	MARQUETTE GENERAL HOSP
204	CF 12/09/03 03-	5137-GC -1	HOUSEHOLD FINANCE CORP

CASES WITH EVENTS PASSED OR MISSING
AS OF 06/30/2004
FOR DIVISION 1

DATE 6/30/04

PAGE 1

AGE	LAST EVENT CODE/DATE DATE OF LAST PAYMENT	CASE # BALANCE	NAME
1010	WOW 6/24/04 6/15/04	01 0990FY 1 387.50	MALTBY, JACOB JOHN
659	WRN 6/24/04 4/02/04	02 0789FY 1 370.00	JETER, WILLIAM FRANKLIN
590	P 5/08/04 8/28/03	02 1034FD 1	BURNS, PATRICK EVERETT
569	WOW 6/24/04 4/02/04	02 1095FY 1 1,165.64	JETER, WILLIAM FRANKLIN
491	PRH 6/24/04	03 0128ST 1 75.00	HOYT, ANGELA CHRISTINE
477	PRH 6/24/04	03 0182SM 1	HOYT, ANGELA CHRISTINE
334	P 4/10/04 10/10/03	03 0627FY 1	DODSON, REGINALD
324	WOW 6/24/04 6/07/04	03 0667ST 1 45.00	SMALL, RAY L
308	WOW 5/20/04 1/09/04	03 0732FY 1 336.00	MACLEOD, MEGAN MARIE
300	P 6/29/04 5/04/04	03 0774SM 1	MICHEL, MATTHEW DENNIS
292	T 5/28/04 4/16/04	03 0808SM 1 300.00	ARAGON, TIFFANY NICOLE
282	T 6/28/04 5/25/04	03 0837ST 1 570.00	WILSON, WILLIAM KENNETH
275	T 5/28/04 4/23/04	03 0871ST 1 410.00	FRENCH, TONYA LEE
268	P 6/19/04 5/17/04	03 0888SM 1	CRUICKSHANK, STEVEN MARSHALL
266	T 6/14/04 6/14/04	03 0891SM 1 25.00	LEONARD, PEPPER MARIE
266	NOS 6/24/04	03 0892SD 1	MCROBB, DANIEL WALLACE
263	OSC 6/25/04 6/28/04	03 0900SM 1 608.00	LALONDE, LINETTE DYAN
253	T 6/26/04 6/30/04	03 0943SM 1 325.00	SEABOLT, SARA LELA
239	T 6/28/04 5/28/04	03 0988SM 1 450.00	WILKINSON, DANIEL DAVID
236	WOW 6/24/04 6/28/04	03 0993SM 1 300.00	CLINE, PATRICK TRACY
219	T 5/26/04 4/13/04	03 1030SD 1 312.50	TOWERS JR, CRAIG RANDALL
204	T 6/20/04 4/16/04	03 1068SM 1 708.62	GAUDINIER, KIM MARIE
200	WRN 6/24/04 6/15/04	03 1080SD 1 775.00	MALTBY, JACOB JOHN
197	T 6/07/04 5/07/04	03 1088SM 1 805.00	SUTFIN JR, EUGENE FREDERICK

AGE	LAST EVENT DATE OF LAST PAYMENT	CODE/DATE	CASE # BALANCE	NAME
39	T	6/22/04	04 T1680SI 1 105.00	FORTIN, SHIRLEY ANN
14	APBY	6/26/04	04 T1687SI 1 95.00	ROAT, MITCHELL LEWIS
14	T	6/22/04	04 T1688SI 1 95.00	HAVEN, MONICA RAE
20	T	6/28/04	04 T1703SI 1 90.00	DOWNEY, SHAWN MICHAEL
11	APBY	6/29/04	04 19548OT 1 80.00	WILKINSON, FREDERICK WILLIAM
12	APBY	6/28/04	04 21653SM 1 85.00	THOMPSON, RICHARD JOHN
37	T	6/10/04	04 21696SI 1 162.00	FOX, MARLENE ROSE
29	T	6/08/04	04 21820SI 1 40.00	JACKSON, SHERRY LYNN
43	T	6/25/04 6/29/04	04 22093OI 1 90.00	PETERSON, JASON ROBERT
43	T	5/27/04 6/28/04	04 22095OI 1 50.00	RAE, KIMBERLY MARIE
32	T	6/08/04	04 22179SI 1 65.00	MCGOVERN, CHRISTOPHER DAVID
17	APBY	6/23/04	04 22180ON 1 265.00	GRICE, RONALD GLENN
176	T	6/25/04	04 25064SI 1 135.00	MCGOVERN, CHRISTOPHER DAVID
12	T	6/28/04	04 25066ON 1 70.00	LONGWORTY, ALBERT DWAYNE
53	T	6/22/04	04 25183ON 1 50.00	DUFFINEY, DANA MICHELLE
39	T	6/21/04	04 25188ON 1 215.00	BARTHOLOMEW, CARL STANLEY
25	T	6/16/04	04 25191ON 1 150.00	WEBER, ETHEL CECILIA
11	APBY	6/16/04 6/29/04	04 25193ON 1 70.00	RICHARDS JR, RICKEY EUGENE
42	T	6/29/04	04 25234ON 1 70.00	BROWN, MICHAEL BRANDON
40	T	6/02/04	04 25269ON 1 125.00	STEMPKY, MATTHEW JAMES
35	T	6/01/04	04 25274OK 1 160.00	AKBAR, DANIELLE ANN
45	T	6/01/04	04 25292ON 1 60.00	GARLOCK III, WILLARD FLOYD
39	T	6/01/04 6/02/04	04 25314OI 1 90.00	STEMPKY, MATTHEW JAMES
30	T	6/15/04 6/15/04	04 25319OI 1 45.00	AYOTTE, JESSICA LYNN

CASE NUMBER	TYPE	PTY	DEFENDANT NAME	SERVICE DATE	LAST CODE	ACTION DATE
000196GC	GC	D01	BAIRD/MELISSA/JULIET	02/03/00	BWI	02/05/00
029206GZ	GZ	D01	TITUS/JESSE/	05/02/03	DVC	06/07/00
030288GC	GC	D02	COLLIER/JOHN/	01/28/03	BTC1D	03/26/00
0310204GC	GC	D01	ALKHUBARI/ABDO/	07/24/04	SCS93	07/24/00
0310211GC	GC	D01	COOK/KENNETH/	08/03/04	SCSTM	08/03/00
032245GC	GC	D01	FUNDBALANCE INC//	04/14/03	NOI75	12/09/00
032713GC	GC	D01	PAYNE/CHRIS/	06/12/03	NOI75	12/09/00
034723GC	GC	D01	PLAZA WEST LLC//	07/21/03	PTJ	04/14/00
035449GC	GC	D01	SCHRADER/TAMMY/	02/20/04	SCS92	02/20/00
036636GC	GC	D01	MENDEZ/FLORENTINA/	02/06/04	SCSTM	02/06/00
037137GC	GC	D02	JANOW/HOLLY/	02/14/04	SHC	07/12/00
037137GC	GC	D03	MICHAEL/AMANDA/	10/28/03	SHC	07/12/00
037711GC	GC	D01	MID MICHIGAN SERVICES CORP//	07/26/04	SCS93	07/26/00
038081GC	GC	D01	RPM'S OF BATTLE CREEK INC//	11/25/03	SCS90	11/25/00
038541GC	GC	D01	DICE/DONALD/	08/18/04	SCS93	08/18/00
038901GC	GC	D01	CARMOUCHE/DEBORAH/	04/27/04	SCS92	04/27/00
039265GC	GC	D02	BOLTON/PHILLIP/	05/15/04	SCS93	05/15/00
040084GC	GC	D01	LANCASTER/JOHN/	03/31/04	SCSTM	03/31/00
040125GC	GC	D01	REDFIELD/ERIC/L	02/07/04	BTJHD	08/26/00
040384GC	GC	D01	OVERGAARD/RICHARD/N	04/02/04	SCSTM	04/02/00
040553GC	GC	D01	ALEMAN/LORI/	05/03/04	SCSTM	05/03/00
040610GC	GC	D01	LANG/HENRY/J JR	04/30/04	SCSTM	04/30/00
040886GC	GC	D01	LEFFEW/ANGELA/	04/06/04	SCS93	04/06/00
040887GC	GC	D01	MAGRUM/NANCY/J	05/01/04	SCS93	05/01/00
040888GC	GC	D01	MARTUGE/GINA/LUCIA	04/19/04	SCS93	04/19/00
040897GC	GC	D02	STURGEON/AM/	03/10/04	SCS93	03/10/00
041012GC	GC	D01	BOYD/LONNIE/	03/02/04	SCS93	03/02/00
041068GC	GC	D01	GRAHAM/SHANITA/	04/28/04	SCS93	04/28/00
041085GC	GC	D01	NICHOLAS/TODD/A	02/28/04	SCS93	02/28/00
041101GC	GC	D01	BRADLEY/TODD/C	05/07/04	SCS93	05/07/00
041109GC	GC	D02	HAYES/JANICE/	05/12/04	SCS93	05/12/00
041117GC	GC	D01	RABBITT/SHEILA/	02/26/04	SCS93	02/26/00
041130GC	GC	D01	BARTON FOOD MART INC//	02/28/04	ORE12	05/04/00
041131GC	GC	D01	WHITFIELD/ROBERT/	03/23/04	SCS93	03/23/00
041134GC	GC	D01	KRAMER/PATRICIA/	03/09/04	SCS93	03/09/00
041235GC	GC	D01	MARTIN/BOB/	04/26/04	SCSTM	04/26/00
041311GC	GC	D01	DOVE/CHAD/M	08/11/04	SCS93	08/11/00
041325GC	GC	D01	VANDENBERG/CHRISTINA/N	04/15/04	SCSTM	04/15/00
041327GC	GC	D01	WOODSON/ANACORITA/C	02/28/04	SCS93	02/28/00
041327GC	GC	D02	WOODSON/MELVIN/ JR	02/28/04	SCS93	02/28/00
041410GC	GC	D02	BUSHMAN/ARYN/DWYN	07/13/04	SCS91	07/13/00
041414GC	GC	D01	HUNTER/JAMIE/A	05/27/04	SCSTM	05/27/00
041421GC	GC	D01	COLLINS/NAOMI/	03/20/04	SCS93	03/20/00
041449GC	GC	D01	MAITLAND/JOHN/	02/27/04	SCS93	02/27/00
041588GC	GC	D01	BURGETT/ROBERT/	03/24/04	SCS93	03/24/00
041599GC	GC	D02	NAVARRO/JOHN/	03/04/04	OREFS	05/17/00
041603GC	GC	D01	JUAREZ/ISRAEL/J	04/19/04	SCS96	04/19/00
041628GC	GC	D01	MEFFORD/BARRIE/	05/16/04	SCS93	05/16/00
041665GC	GC	D01	BOLING/SUSANN/K	08/05/04	SCSTM	08/05/00
041735GC	GC	D01	SMITH/TONY/	06/03/04	SCS93	06/03/00
041855GC	GC	D01	HENRY/CAROLYN/	04/22/04	SCS93	04/22/00
042016GC	GC	D01	HUTCHINSON/BETH/A	04/14/04	SCS93	04/14/00
042088GC	GC	D01	PEEK/KERRI/	06/29/04	SCSTM	06/29/00

CIVIL DEFAULT NOTICE PRE-LIST

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CASE NUMBER	TYPE	PTY	DEFENDANT NAME	SERVICE DATE	LAST CODE	ACTION DATE
042094GC	GC	D01	BASHAW/CHRISTOPHER/ SR	04/19/04	SCS96	04/19/04
042099GC	GC	D01	TAYLOR/LOIS/A	08/10/04	SCSTM	08/10/04
042124GC	GC	D01	TOMLIN/JEANETTE/	05/21/04	SCSTM	05/21/04
042130GC	GC	D01	HAIGLER/MELINDA/	07/15/04	SCSTM	07/15/04
042139GC	GC	D01	JONES/IDORA/	06/25/04	ORE47	07/01/04
042140GC	GC	D01	HAWTHORNE/MELISSA/	07/26/04	SCSTM	07/26/04
042142GC	GC	D01	PRATT/KATHRYN/	04/22/04	SCS93	04/22/04
042143GC	GC	D01	OLIVERIO/PENELOPE/	05/05/04	SCS93	05/05/04
042145GC	GC	D01	TALBERT/DENA/	04/21/04	SCS93	04/21/04
042146GC	GC	D01	DELAFIELD/KATHLEEN/	04/01/04	SCS93	04/01/04
042151GC	GC	D02	HARTLE/PAM/	04/21/04	SCS93	04/21/04
042220GC	GC	D01	MACCROSSEN/CANDY/	08/28/04	SCS93	08/28/04
042367GC	GC	D02	FRUGE/LINDA/D	05/15/04	SCSTM	05/15/04
042380GC	GC	D01	GREEN/STACY/F	05/05/04	SCS93	05/05/04
042382GC	GC	D01	DAILEY/KATHLEEN/L	05/26/04	SCSTM	05/26/04
042383GC	GC	D01	PATTERSON/ALLEN/M	08/02/04	SCSTM	08/02/04
042437GC	GC	D01	LINDSEY/DEBRA/	08/09/04	SCSTM	08/09/04
042456GC	GC	D01	SMITH/TINA/	06/23/04	SCSTM	06/23/04
042457GC	GC	D01	ANDREWS/LARRY/	07/26/04	SCF96	08/06/04
042460GC	GC	D01	CRELLER/WENDY/	05/06/04	SCS90	05/06/04
042467GC	GC	D01	NICHOLS/DEBORAH/LYNN	04/19/04	SCS93	04/19/04
042471GC	GC	D01	MCINTYRE/SHARON/GODDARD-BARTON	04/24/04	SCS93	04/24/04
042484GC	GC	D01	COSS/RONALD/	07/22/04	SCS92	07/22/04
042485GC	GC	D01	BRIDGES/PHYLLIS/	04/26/04	SCS93	04/26/04
042487GC	GC	D01	WIGGINS/MAIANAR/	08/13/04	SCS93	08/13/04
042517GC	GC	D01	MATTINGLY/SHAD/LEONARD	05/26/04	SCS92	05/26/04
042559GC	GC	D01	HELDT/JUDY/A	06/13/04	SCS93	06/13/04
042561GC	GC	D01	LOWER/JOHN/	07/11/04	SCSTM	07/11/04
042563GC	GC	D01	MCGHAN/DALE/	05/11/04	SCS93	05/11/04
042564GC	GC	D01	MCGUFFEY/DEE/	05/08/04	SCS93	05/08/04
042565GC	GC	D01	MAYO/ROBERTA/	05/01/04	SCS93	05/01/04
042567GC	GC	D01	MIARKA/JESSICA/	05/03/04	SCS93	05/03/04
042574GC	GC	D01	GILBERT/SUSAN/C	08/19/04	SCS93	08/19/04
042580GC	GC	D01	KNOWLES/GREGORY/S	08/05/04	SCS93	08/05/04
042581GC	GC	D01	JONES/BETHANY/	07/26/04	SCS87	07/26/04
042594GC	GC	D01	WILLIAMS/DUNCAN/	07/24/04	SCSTM	07/24/04
042595GC	GC	D01	SCROGGINS/TIMOTHY/J	06/05/04	SCS93	06/05/04
042650GC	GC	D01	GLOAR/RICHARD/D	06/24/04	SCSTM	06/24/04
042738GC	GC	D01	PRINS/MELISSA/	05/22/04	SCS93	05/22/04
042759GC	GC	D01	KRUGER/SCOTT/G	08/07/04	SCS92	08/07/04
042793GC	GC	D01	PERRY/CHERYLE/R	06/12/04	MOC28	10/25/04
042796GC	GC	D01	CUBBERLY/TRACY/	07/10/04	SCSTM	07/10/04
042809GC	GC	D01	GREEN/TINA/M	06/10/04	ORE12	07/26/04
042814GC	GC	D01	BOOS/KELLY/	06/13/04	SCS93	06/13/04
042907GC	GC	D01	SPENELLI/RONNIE/	07/29/04	SCS93	07/29/04
042909GC	GC	D01	SMITH/BRANDY/	07/29/04	SCSTM	07/29/04
042914GC	GC	D01	GLOAR/RICHARD/	07/28/04	SCS93	07/28/04
042916GC	GC	D01	JUDY/SCOTT/	07/29/04	SCSTM	07/29/04
042917GC	GC	D01	RANGER/JON/	07/29/04	SCSTM	07/29/04
042921GC	GC	D01	MATTHEWS/ERIC/	07/26/04	SCS92	07/26/04
042970GZ	GZ	D03	SHEPHERD/RICKIE/LEE	04/28/04	HRC	05/17/04
042995GC	GC	D01	COLLINS/CHERYL/L	06/03/04	OREFS	07/29/04
042997GC	GC	D01	DEKALANDS/MARTA/L	07/26/04	SCSTM	07/26/04

DEFAULT ENTRY OF JUDGMENT REPORT
FOR THE FOLLOWING PERIOD - 06/01/04 - 06/30/04
FOR -

DATE 6/30/04

FOR DIVISION -

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CASE #	PLAINTIFF NAME DEFENDANT NAME	SERVICE DATE
04- 5324-GC -1	CFC FINCANCIAL LLC SOUTHWELL, MICHAEL	6/01/04
04- 5325-GC -1	ASSET ACCEPTANCE LLC FRIDAY, THOMAS A	6/01/04
04- 5342-GC -1	GREAT SENECA FINANCIAL WEISS, LAURA LYNNE	6/02/04
04- 5359-GC -1	NORTHERN MICH HOSPITALS GIBBS, JUNE	6/08/04
04- 5378-GC -1	CFC FINANCIAL LLC BRASSEUR, KIMBERLY	6/03/04
04- 5384-GC -1	AEC ONE STOP GROUP MUSIC WORLD	6/04/04
04- 5391-GC -1	NORTHERN MICH HOSPITAL JENNE, LARRY D	6/06/04
04- 5399-GC -1	NORTHERN MICH HOSPITAL WOODWORTH, TIA	6/03/04
04- 5407-GC -1	HELEN NEWBERRY JOY HOSP	6/07/04
04- 6949-SP -1	WITEK, DENIS LEE, BUFFORD	6/01/04
04- 7810-SC -1	AURORA GAS COMPANY ATKINS, ROBIN	6/04/04
04- 7811-SC -1	FIRST FEDERAL OF NORTH MI DENNIS, TONYA J	6/07/04
04- 7998-SC -1	CASH FAST HERNANDEZ, CAROL	6/02/04
04- 8002-SC -1	MANNINGS NORTHERN TIRE DONOVAN, MICHELLE	6/02/04
04- 8005-SC -1	MANNINGS NORTHERN TIRE STEWART, BOB	6/02/04
04- 8007-SC -1	WOLVERINE CUSTOME HOMES BONDIE, FARRON	6/04/04

CASES READY FOR TRIAL REPORT
DIVISION - 2

DATE - 6/30/04

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CASE NUMBER	PLAINTIFF NAME	DEFENDANT NAME	SUMMONS DATE	TRIAL TYPE
DATE SET	PLAINTIFF ATTORNEY NAME	DEFENDANT ATTORNEY NAME	JUDGE ASSIGNED	
02- 7184-GC -2 6/28/04 838	BROTT, KIPLEY, SETTLES & BROTT, WILSON D.	SICK, KEVIN EMERSON	3/15/02 HON. LYNNE M. BUDAY	BENCH TRIAL
03- 8420-GC -2 7/07/04 197	MCKINNON, STUART W DAVISON, WILLIAM M	PIERSON, ARDEN STEWART, TROY W.	12/16/03 HON. LYNNE M. BUDAY	BENCH TRIAL
03- 8497-GC -2 7/22/04 210	KALKASKA MEM HEALTH CEN SCHUKNECHT, RONALD A.	HAGLER, KEVIN COTTOM, RODERICK B.	12/03/03 HON. LYNNE M. BUDAY	BENCH TRIAL
03- 8567-GC -2 7/08/04 176	BLUE PENCIL CREATIVE GRP BIRDSALL, PHILLIP J.	REES D/B/A, LISA	1/06/04 HON. LYNNE M. BUDAY	BENCH TRIAL
04- 8634-SP -2 6/24/04 117	GERVAIS BUILDING COMPANY	LEACH, RICK COON, JEROLD T.	3/05/04 HON. LYNNE M. BUDAY	JURY TRIAL
04- 8638-GC -2 8/06/04 179	NAL SERVICES, INC KUNDINGER, VICKI P.	DRYS, DARRYL	1/03/04 HON. LYNNE M. BUDAY	BENCH TRIAL
04- 8649-GC -2 7/26/04 159	MAREK, JOSEPH R	GONYER, LINDA CHARLAND, GERALD L.	1/23/04 JULIE DELANEY	BENCH TRIAL

BENCH TRIALS- 6
JURY TRIALS- 1

TOTAL CASES PENDING TRIAL- 7

DATE 6/30/04

EVENT STATUS REPORT
FOR EVENT CODE: TBS
FOR JUDGE/MAGISTRATE: *ALL
FOR DIVISION: 1

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CASE NUMBER	PRIMARY PLAINTIFF	EVENT DATE/CODE
FILED DATE	PRIMARY DEFENDANT	
03 4829GC 1 6/10/03	SPECTRUM HEALTH, LYON, JEFFERY	6/16/04 TBS
03 5045GC 1 11/18/03	PRA III, JOHNSON, JEFFREY M.	5/24/04 TBS
03 5054GC 1 10/22/03	BURNS CLINIC MEDICAL CENT, ST AMOUR, GERALD D	5/05/04 TBS
03 5079GC 1 10/28/03	SHAW, MICHAEL JAMES WILLIS, IRENE & NORMAN	4/08/04 TBS
03 5090GC 1 11/05/03	STEPHENS, ROD & AMY STATE & COUNTY ASSOCIATES,	6/24/04 TBS
04 5223GC 1 3/01/04	GREAT SENECA FINANCIAL, ANDREWS, MAXINE	4/28/04 TBS
04 5240GC 1 3/09/04	CAPITAL ONE BANK, BABCOCK, TIM	6/02/04 TBS
04 5247GC 1 3/15/04	ISLAND FERRY SERVICES INC, DUFFINEY, WAYNE	6/02/04 TBS
04 5253GC 1 3/16/04	CFC FINANCIAL, STEMPKY, PAUL J	5/19/04 TBS
04 5260GC 1 3/16/04	AUTO OWNERS INSURANCE, ROYAL LINEN OF CHEBOYGAN,	6/02/04 TBS
04 5265GC 1 3/17/04	FORD MOTOR CREDIT COMPANY, BARR, MICHAEL E	5/19/04 TBS
04 5269GC 1 3/19/04	NAYS, JOHN R FARM BUREAU INSURANCE,	6/02/04 TBS
04 5278GC 1 3/23/04	CHRYSLER FINANCIAL CO, MORRIS, ROBERT H.	6/02/04 TBS

OPEN CASES WITH AN EXPIRED NEXT ACTIVITY DATE - NUMERIC

CASE NO.	TYPE	NAME	C/W/F	CURRENT CHARGE	DISPO CODE	DISPO DATE	BALANCE DUE	NEXT ACTION DATE	PROB
00B913834B	SI	GREEN/CHARLES/XXXX RAYOM	C	MISC CI TRF	19	08/02/00	80.00	12/12/01	
00JP66183A	OK	DEVIEV/EVELYN/XXXX ELIZABET	C	HANDICAP PK	19	09/13/00	70.00	6/18/04	
00JP69273A	SK	PORTER/LARRY/GENE	C	IMPROPER PRK	19	06/28/00	60.00	8/09/01	
00L708105A	OK	LYCOS/KENNETH/XXXX DUANE	C	UN STP/SD/PK	19	04/13/00	60.00	6/04/03	
00PS6991A	OK	GRAY/MATTHEW/JOHN	C	UN STP/SD/PK	19	12/18/00	60.00	12/04/00	
00PS7034A	OK	GRAY/MATTHEW/JOHN	C	UN STP/SD/PK	19	01/12/01	60.00	12/29/00	
00S60778A	OK	OWENS/MELVIN/WALLACE	C	OTHER MPS CI	19	01/09/01	60.00	12/26/00	
00T701065A	SI	BEREZOWSKI/RANDALL/F	C	OTHER MPS CI	19	07/17/00	80.00	7/17/00	
00T701065B	SI	BEREZOWSKI/RANDALL/F	C	OTHER MPS CI	19	07/17/00	110.00	7/17/00	
00T701096A	SI	BROWN/ZERIUS/XXXX DEMOND	C	OTHER MPS CI	19	08/15/00	95.00	3/12/04	
00T701446A	SI	WORKMAN/DANIEL/M	C	OTHER MPS CI	19	08/08/00	165.00	7/25/00	
00T753128B	SK	SHERWOOD/JASON/WAYNE	C	UN STP/SD/PK	19	08/30/00	60.00	8/16/00	
00T753219A	SI	NEONER/VINCENT/XXXX LEE	C	OTHER MPS CI	19	09/21/00	95.00	3/27/01	
00T753821B	SI	MARZETTI/KENNETH/XXXX ALBER	C	OTHER MPS CI	19	10/24/00	165.00	5/28/01	
00T757127A	SI	CLARK/SONS/XXXX ENT	C	OTHER MPS CI	19	11/17/00	95.00	11/03/00	
00T757297A	SI	RANDOLPH/CARL/WAYNE JR	C	OTHER MPS CI	19	12/27/00	165.00	12/11/00	
00WT1557A	OK	FTSCO/FRANK/JOHN	C	UN STP/SD/PK	19	04/17/00	60.00	4/03/00	
01BT37276B	OI	JOHNSON/DONALD/XXXX E	C	NO LOG BOOK	19	06/05/01	95.00	5/24/04	
01BT41433B	OI	LEFEBURE/ADRIEN/XXXX	C	OTHER MPS CI	19	09/11/01	160.00	4/12/04	
01BT42139B	OI	YAGER/ASHLEY/XXXX ANNE	C	SEAT BLT PAS	19	10/22/01	55.00	3/17/03	
01CT22170A	SK	HEATH/ANDRE/JAY	C	PK/NO PK ZON	19	08/20/01	85.00	8/06/01	
01C120059B	SI	BRANNON/JACKSON/RANDALL JR	C	NO LOG BOOK	19	12/31/01	100.00	1/17/03	
01C120081B	SI	KOENIG/JEFF/XXXX A	C	OTHER MPS CI	19	12/03/01	170.00	10/22/03	
01C120253A	SK	KEPLINGER/MARGO/DIANE	C	HANDICAP PK	19	12/11/01	170.00	10/16/03	
01C120271A	SK	MARTIN/DARREN/	C	PROHIBIT PRK	19	12/31/01	85.00	12/17/01	
01C193120A	SK	SHERMETARO/CHARLES/THOMAS	C	PROHIBIT PRK	19	10/10/01	85.00	9/26/01	
01C193448A	SI	BAKER/TINA/MARIE	C	SEAT BLT PAS	19	10/23/01	55.00	11/20/02	
01C322162A	SN	MORGAN/PETER/LEON-DUNDEE	C	ALCH ST PRK	19	08/23/01	90.00	8/09/01	
01C322171A	SI	SHARP/HARM/COLUMBUS III	C	ALCH ST PRK	19	10/10/01	90.00	9/26/01	
01C352844A	SK	HUGHES/TODD/A	C	UN STP/SD/PK	19	03/07/01	80.00	2/21/01	
01C353437B	SI	KYEYKUKU/ISAAC/OPPONG	C	NO LOG BOOK	19	05/29/01	95.00	5/14/01	
01C394437A	SK	WEATHERMAX/JEDIDIAH/MCGEE	C	HANDICAP PK	19	05/30/01	135.00	5/16/01	
01JC51584A	SK	MCCARTHY/KEVIN/XXXX RAMO	C	UN STP/SD/PK	19	03/07/01	80.00	8/20/03	
01JC52155A	SK	SMITH/RALPH/EDWARD	C	HANDICAP PK	19	04/02/01	135.00	3/19/01	
01JC56939A	SI	GREEDY/DAVID/L	C	OTHER MPS CI	19	08/21/01	115.00	8/07/01	
01JC58538A	SK	ILIFF/EDWIN/HAROLD	C	HANDICAP PK	19	01/18/02	140.00	1/04/02	
01JC61495A	SI	STILES/KRYSTAL/LYNN	C	PED PROH	19	01/04/02	90.00	12/21/01	
01JP66871A	OI	BAILEY/CHARLES/	C	MISC CI TRF	19	03/14/01	15.00	2/28/01	
01SU46744A	OK	LETTS/HEATHER/LYNN	C	UN STP/SD/PK	19	02/27/01	80.00	2/13/01	
01S60887A	SK	BOTLER/KENNETH/XAVIER	C	UN STP/SD/PK	19	07/12/01	80.00	6/28/01	
01S61233B	OI	SMITH/RODNEY/JAMES	C	NO LOG BOOK	19	11/14/01	100.00	10/31/01	
01S61304A	OK	FORD MOTOR CREDIT CO//	C	PROHIBIT PRK	19	10/18/01	85.00	10/03/01	
01T690628A	SI	ROSE/JACK/XXXX ALLEN JR	C	NO LOG BOOK	19	05/22/01	95.00	6/07/04	
01T743155A	SI	MCGRAW/FRANK/XXXX JR	C	NO LOG BOOK	19	05/09/01	95.00	4/03/02	
01T743223A	SI	WILSON/DENNIS/J	C	NO LOG BOOK	19	06/25/01	95.00	6/11/01	
01T743361B	SI	PLETT/LAWRENCE/XXXX P	C	NO LOG BOOK	19	07/20/01	95.00	7/22/02	
01T743385A	SI	ESCARTIN/JOSE/ISRAEL	C	NO MED CERT	19	08/01/01	95.00	7/18/01	
01T743476A	SI	FERNANDEZ/ALBERTO/XXXX A	C	OTHER MPS CI	19	08/10/01	165.00	6/18/04	
01T743711A	SI	DRUP/HARRY/PERSAUD	C	OVER HRS CMV	19	09/10/01	100.00	8/27/01	
01T743838A	SI	CARLSON/JAMES/LEE	C	NO MED CERT	19	09/27/01	100.00	9/13/01	
01T743838B	SI	CARLSON/JAMES/LEE	C	OTHER MPS CI	19	09/27/01	165.00	9/13/01	
01T743895A	SI	LAHEL/MANJIT/SINGH	C	NO LOG BOOK	19	11/01/01	100.00	10/18/01	

OPEN CASES WITH AN EXPIRED NEXT ACTIVITY DATE - NUMERIC

CASE NO.	TYPE	NAME	C/M/P	CURRENT CHARGE	DISPO CODE	DISPO DATE	BALANCE DUE	NEXT ACTION DATE	PROB
01T743946A	SI	MANCINI/AND/SONS BRICK PAVI	C	OTHER MPS CI	19	10/18/01	120.00	10/04/01	
01T743986A	ST	E/BROWN/XXXX TRUCKING INC	M	FUEL TX PMT	19	11/19/01	100.00	7/11/02	
01T745282A	SI	WOOD/TOMMY/ELLIS	C	NO LOG BOOK	19	07/10/01	95.00	6/26/01	
01T750024A	SI	FALSON/MICHAEL/XXXX	C	OTHER MPS CI	19	10/26/01	170.00	2/28/02	
01T750042C	SI	CASE/GERRY/B JR	C	NO LOG BOOK	19	10/31/01	100.00	5/15/02	
01T750151B	SI	VARNNEY/DONALD/HAROLD	C	OTHER MPS CI	19	12/19/01	170.00	12/05/01	
01T750222A	SI	GARRETT/DAVID/A	C	OTHER MPS CI	19	01/01/02	170.00	12/18/01	
01T750302A	SI	MC DUFFY/ALPHONSO/	C	NO LOG BOOK	19	11/29/01	100.00	11/15/01	
01T750340A	SI	ENVIRONMENTAL/TECHNOLOGIES/	C	DEF EQP CMV	19	01/02/02	100.00	1/03/03	
01T750491A	SI	AL-BADRY/SAAD/FALFUS	C	DEF EQP CMV	19	01/08/02	115.00	1/08/02	
01T750669A	SI	MOORE/RODNEY/	C	NO MED CERT	19	01/17/02	105.00	7/23/03	
01T757408A	SI	DANCO/MOTOR/LINES	C	OTHER MPS CI	19	02/01/01	120.00	1/18/01	
01T757630B	SI	PEREZ/GONZALO/XXXX M	C	OTHER MPS CI	19	02/20/01	100.00	10/18/02	
01T757700A	SI	MID/MICHIGAN/AUTO	C	DEF EQP CMV	19	03/20/01	95.00	6/25/04	
01T757723A	SK	PAQUIN/PATRICK/	C	PROHIBIT PRK	19	03/08/01	80.00	2/22/01	
02BT44752A	OI	LITTLEJOHN/CASPER/	C	SEAT BLT PAS	19	03/14/02	65.00	2/28/02	
02BT45037A	OI	KIMBROUGH/MICHAEL/WILLIAM	C	SEAT BLT PAS	19	02/21/02	65.00	3/25/02	
02BT46535A	OI	JOHNSON/RODQUIS/	C	PED PROH	19	03/19/02	95.00	3/05/02	
02BT48754A	OI	BENNETT/BERNICE/LOUISE	C	SEAT BLT PAS	19	08/06/02	65.00	2/13/04	
02BT48815A	ON	RODRIGUEZ/JUAN/JAIME	C	NO LOG BOOK	19	06/21/02	140.00	7/15/03	
02BT50402A	OI	HOUG/MICHAEL/JOHN	C	PED PROH	19	09/17/02	75.00	9/03/02	
02BT51047A	OI	TAYLOR/JAMES/GREGORY	C	PED PROH	19	11/14/02	95.00	10/31/02	
02BT52077A	OK	HARTWIG/CHRISTOPHER/BRIAN	C	IMPROPER PRK	19	12/20/02	85.00	12/06/02	
02C705869B	SN	PATRICK/ANDREW/BRIAN	C	NO LOG BOOK	19	08/02/02	140.00	7/19/02	
02C712236B	SN	PERREAU/JEFFREY/P	C	NO LOG BOOK	19	01/21/03	140.00	1/21/03	
02C867814C	SM	PLOURDE/MARTIN/	C	NO LOG BOOK	19	07/31/02	140.00	7/17/02	
02C873168B	SN	SCHUUR/JEFFREY/ALLEN	C	NO LOG BOOK	19	08/21/02	140.00	8/07/02	
02JC62138A	SI	COOK/RICHARD/JOHN	C	SEAT BLT PAS	19	02/12/02	65.00	1/29/02	
02JC62790A	SI	NEIKO/CARRIE/ANN	C	SEAT BLT PAS	19	03/18/02	65.00	3/04/02	
02JC64545A	SK	HILL/TYRONE/	C	UN STP/SD/PK	19	07/03/02	85.00	6/19/02	
02JC64546A	SK	BAKER/MAFARO/XXXX JURENDA	C	UN STP/SD/PK	19	07/03/02	85.00	12/09/03	
02JC65338A	SK	FLOWERS/FRANKLIN/CHARLES	C	UN STP/SD/PK	19	07/26/02	85.00	7/12/02	
02JC65338B	SN	FLOWERS/FRANKLIN/CHARLES	C	NO LOG BOOK	19	07/26/02	140.00	7/12/02	
02JC67634A	SI	HERNANDEZ/JOSE/LUIS	C	PED PROH	19	08/15/02	95.00	8/01/02	
02JC68860A	SI	RIDER/NICOLE/MAE	C	SEAT BLT PAS	19	09/16/02	50.00	8/30/02	
02JC71487A	SK	PALMER/CAROLYN/JEAN	C	HANDICAP PK	19	01/09/03	140.00	12/26/02	
02JC72110A	SK	WILBURN/BRENT/JAMES	C	PK FIRE LANE	19	01/21/03	85.00	1/07/03	
02JC72233A	SI	FRANKOWSKI/RENEE/M	C	SEAT BLT PAS	19	12/30/02	30.00	12/16/02	
02JC73020A	SK	RUMSEY/CRAIG/ERIC	C	HANDICAP PK	19	01/02/03	140.00	12/18/02	
02JC73405A	SK	OLDS/DAVID/MICHAEL	C	HANDICAP PK	19	01/10/03	140.00	12/27/02	
02JC73457A	SK	HEIM/SHERRY/LYNN	C	UN STP/SD/PK	19	01/14/03	85.00	12/31/02	
02NV3199C	SI	FAUST/DONNA/LYNNE	C	EQUIMENT MINO	19	07/05/02	110.00	6/20/02	
02PS7566A	OK	BAYER/JUSTIN/MICHAEL	C	UN STP/SD/PK	19	02/22/02	85.00	2/08/02	
02S61510A	OK	WARGOWSKY/MICHAEL/ROBERT	C	UN STP/SD/PK	19	05/13/02	85.00	4/29/02	
02S61801B	SN	ROSE/JACK/XXXX ALLEN JR	C	NO LOG BOOK	19	09/05/02	140.00	6/07/04	
02S61890A	OK	BRYANT/JOHN/EPHRIAM	C	UN STP/SD/PK	19	12/26/02	85.00	12/10/02	
02T737416A	SI	HAGGARTH/LAVERNE/F	C	OTHER MPS CI	19	09/18/02	135.00	9/04/02	
02T750874A	SI	SAIN/ARNELL/JR	C	NO MED CERT	19	03/20/02	115.00	3/06/02	
02T769730B	SI	R/AND/D CONTRACTING	C	OTHER MPS CI	19	04/02/02	115.00	12/29/03	
02T780059B	SN	PINNACLE/HOUSING/LLC	C	UNQUALIFIED	19	08/20/02	115.00	11/07/02	
02T780230A	SN	ARNOLD/MICHAEL/NATHAN	C	NO LOG BOOK	19	08/30/02	140.00	8/16/02	
02T780287A	SN	KEYS/JIMMY/LYNN	C	NO LOG BOOK	19	09/12/02	140.00	8/29/02	

INCARCERATED DEFENDANT REPORT

Report Date: 6/30/04

DIVISION: 1

PAGE 1

DEFENDANT NAME BOND-DATE TYPE AMOUNT OFFENSE DESCRIPTION	CASE NUMBER MEMO	BIRTH DATE ARR DATE OFFENSE CODE	COMPLAINT # NEXT EVENT
GIBBONS, DANIEL CLIFFORD	04 0624FT 1	2/04/1966	72-1944-99 06/30/2004-NOA
OUIL/UBAL-1ST		257.6251-A	
OPERATING-DWLS/ALLOW DWLS		257.9041B	
OPER-LICENSE-FORGERY/ALTER/FALSE ID		257.324	
ALCOHOL-OPEN CONTAINER IN VEHICLE		257.624A	
GRABIEC, RAYMOND JOSEPH	04 0582FY 1	5/03/1959	116-468-04
6/17/2004 T 25,000.00	NO USE/POSS C.S./RAN		07/14/2004-NPE
LARCENY IN A BUILDING		750.360	
CS-POSSESSION/ANALOGUES		333.74032B-A	
CS-POSSESSION/ANALOGUES		333.74032B-A	
CS-POSSESSION/ANALOGUES		333.74032B-A	
GRABIEC, RAYMOND JOSEPH	04 0588FY 1	5/03/1959	72-948-04
6/20/2004 T 100,000.00	NO CONTACT		07/14/2004-NPE
ASSAULT WITH DANGEROUS WEAPON		750.82	
HOPKINSON, BARRY LUCIUS	04 0132SM 1	12/14/1964	309-20-04
6/18/2004 NO	POSTED BY DEF		07/12/2004-NOJ
ASSAULT-AGGRAVATED		750.81A	
LEMEROND, BON STEPHEN	04 0618FT 1	3/07/1985	116-705-04
6/30/2004 T 10,000.00	NO USE/POSSESS		06/30/2004-NOA
MOTOR VEHICLE-UNLAWFUL USE		750.414	
OPERATED WHILE INTOXICATED		257.6251-A	
OPERATING-NO LICENSE/MULTIPLE LICENSE		257.301	
PLATTE JR, JAMES JOSEPH	04 0544FY 1	6/21/1977	309-464-04
6/23/2004 C 50,000.00			07/07/2004-NPE
FORGERY		750.248	
UTTERING AND PUBLISHING		750.249	
STOLEN PROPERTY-R & C O/\$200 BUT U/\$1000		750.5354A	
LARCENY BY CONVERSION-O/\$200 U/\$1000		750.3624A	
RICHARDS, ROBERT MICHAEL	04 0623SM 1	11/15/1976	847-911-04
6/30/2004 T 10,000.00			07/22/2004-NOP
ASSAULT-AGGRAVATED		750.81A	
ZERBE, JEREMY LEROY	03 11200M 1	10/17/1978	847-2044-03
12/30/2003 T 50,000.00	INCLUDES FILE 03-112		07/16/2004-NOS
DISORDERLY CONDUCT		TUSC ORD 8	

EVENT STATUS REPORT
 FOR EVENT CODE: HOLD
 FOR JUDGE/MAGISTRATE: *ALL
 FOR ARRESTING AGENCY: *ALL
 FOR DIVISION: 1

DATE 6/30/04

SORT ORDER: CASE NUMBER

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CASE NUMBER	NAME	ATTORNEY	EVENT DATE/CODE
D.O.B.	ADDRESS		
OFF. DATE	ARRN. DATE	BALANCE DUE	LAST PAY DATE
OFFENSE		ADJUDICATION -	DATE METHOD CODE
02 1025SM 1	SHOCK, DONALD J		6/25/04 HOLD
2/20/1975	209 WEST FAIRVIEW	JOHNSON CITY	TN 18601
11/03/02		608.00	
ASSAULT OR ASSAULT & BATTERY			1/02/03 P G
03 0665SM 1	CRANE, CURTIS ALLEN		5/12/04 HOLD
5/20/1983	216 BACKUS ST APT 3	CHEBOYGAN	MI 49721
8/10/03		60.00	4/19/04
DOMESTIC VIOLENCE			8/21/03 P G
03 0817ST 1	CRANE, CURTIS ALLEN		5/12/04 HOLD
5/20/1983	216 BACKUS ST APT 3	CHEBOYGAN	MI 49721
9/13/03	9/24/03	95.00	4/19/04
OPERATING-DWLS/ALLOW DWLS-2ND OFFENSE			9/24/03 DIS DIS
OPERATING-DWLS/ALLOW DWLS			9/24/03 P G
03 0979SM 1	LACHAPELLE, KARLA KAYE		6/21/04 HOLD
8/04/1982	250 NORTH STREET	CHEBOYGAN	MI 49721
10/30/03		329.00	5/14/04
DOMESTIC VIOLENCE			1/09/04 P SAA
04 0074ST 1	MCGOVERN, CHRISTOPHER DAVID	VARGA/MACARTHUR	5/20/04 HOLD
7/20/1982	223 SOUTH HURON	CHEBOYGAN	MI 49721
1/06/04			5/14/04
MOTOR VEHICLES-OPERATION W/O SECURITY			
04 0373OM 1	BURMEISTER, CHRISTOPHER BRYAN	KWIATKOWSKI, JO	6/04/04 HOLD
5/03/1983	325 YOUNG ST APT 2	CHEBOYGAN	MI 49721
4/17/04	4/28/04		5/14/04
DISORDERLY PERSONS-MISDEMEANOR			
04 0388SM 1	HOPKINSON, BARRY LUCIUS	VARGA/MACARTHUR	6/29/04 HOLD
12/14/1964	PO BOX 510	CHEBOYGAN	MI 49721
4/23/04			5/14/04
DOMESTIC VIOLENCE			
04 0436SM 1	SCHOOLCRAFT JR, GERALD SHANE	VARGA/MACARTHUR	5/26/04 HOLD
11/01/1979	5920 MERO RD.	TOWER	MI 49792
4/15/04			5/14/04
SEX OFFENDERS-FAIL TO COMPLY W/REPORTING			
04 30274SI 1	DICKERSON IV, DORMAN BENTON		6/18/04 HOLD
4/19/1982	6005 WING LAKE ROAD	BLOOMFIELD HILLS	MI 48301-1530
5/08/04		110.00	5/14/04

TRAFFIC/CRIMINAL DRUNK DRIVING REPORT FOR JUDGE

CASE NO.	TYPE	NAME	CHARGE	ISSUE DATE	ARRAIGN DATE	NEXT ACTION DATE	NEXT ACTION	AGE	77TH DAY
0102663SD	SD	FULLER/TAMMY/ANNETTE	OUIL/PRR SE2	8/16/01	8/16/01	9/29/04	PLEA	1132	11/01/01
0206029SD	SD	JONES/MICHAEL/ANDREW	OUIL 1ST	6/20/02	6/20/02	9/22/04	PRETRIAL	824	9/05/02
0314496OD	OD	WYLES/JAMES/ALAN JR	OUIL/UBAC	6/11/03	6/12/03	9/30/04	PREVIEW	468	8/27/03
0413355SD	SD	LUTYEN/ERIC/WAYNE	DROVE INTOX	3/06/04	3/08/04	10/13/04	DEFRD SENTNC	199	5/22/04
0413980OD	OD	BOUVENS/KEVIN/PAUL	DROVE INTOX	6/16/04		9/30/04	PRETRIAL	97	9/01/04
0414003OD	OD	RUSSELL/ROBERT/JAMES	DROVE INTOX	6/20/04	6/21/04	9/28/04	JURY TRIAL	93	9/05/04
0414068OD	OD	JOHNSON/HOWARD/ROBERT	DROVE INTOX	6/29/04	6/30/04	9/28/04	JURY TRIAL	84	9/14/04
0407543SD	SD	EAGER/CONSTANCE/MAE	DROVE INTOX	7/01/04	7/01/04	10/05/04	JURY TRIAL	82	9/16/04
0407704SD	SD	NOEL/SANDRA/MARIE	DROVE INTOX	7/09/04	7/09/04	11/19/04	TRIAL	74	9/24/04
0414152AOD	OD	LEE/TRAVIS/EDWARD	DROVE INTOX	7/11/04	7/26/04	9/28/04	JURY TRIAL	72	9/26/04
0414168SD	SD	HUNT/LARRY/NELSON	DROVE INTOX	7/18/04	7/21/04	10/05/04	JURY TRIAL	65	10/03/04
0414226ASD	SD	MARSCHNER/DANIEL/SCOTT	DROVE INTOX	7/21/04	8/05/04	9/29/04	MOTION HRG	62	10/06/04
04001234FY	FY	STANFIELD/THOMAS/VICTOR	DROVE INTOX	7/30/04	7/30/04	9/29/04	PRE-EXAM CON	53	10/15/04
0414242SD	SD	TUTTLE/BRENT/ALAN	DROVE INTOX	7/31/04	8/16/04	10/05/04	JURY TRIAL	52	10/16/04
0414258OD	OD	BUNNELL/TROY/JACOB	DROVE INTOX	8/07/04	8/09/04	9/30/04	PLEA	45	10/23/04
04001236FY	FY	FULLMER/REBECCA/LYNN	DROVE INTOX	8/08/04	10/13/04	9/29/04	PRE-EXAM CON	44	10/24/04
0414284SD	SD	JOHNSON/KARL/DEVINE	DROVE INTOX	8/12/04	8/23/04	9/22/04	PRETRIAL	40	10/28/04
0414312SD	SD	RHODES/ERNIE/LEE	DROVE INTOX	8/13/04	8/30/04	10/21/04	PRETRIAL	39	10/29/04
0414327SD	SD	DAVIS/RICK/ALLEN	DROVE INTOX	8/14/04	8/30/04	9/22/04	PRETRIAL	38	10/30/04
0414311OD	OD	HARRINGTON/JAMES/A	DROVE INTOX	8/16/04	8/30/04	9/22/04	PRETRIAL	36	11/01/04
0414326SD	SD	NORG/ROBIN/LYNN	DROVE INTOX	8/18/04	8/18/04	9/30/04	PLEA	34	11/03/04
0414350OD	OD	SCHALLHORN/RICHARD/BERT JR	DROVE INTOX	8/19/04	8/19/04	11/19/04	TRIAL	33	11/04/04
0414355OD	OD	VASQUEZ/CARLOS/	DROVE INTOX	8/21/04	8/30/04	10/21/04	PRETRIAL	31	11/06/04
0409109ASD	SD	JOHNSTON/MARTIN/WAYNE	DROVE INTOX	8/24/04	9/13/04	9/22/04	PRETRIAL	28	11/09/04
0414380SD	SD	WOODWORTH/JERROLD/EARL	DROVE INTOX	8/26/04	9/13/04	9/29/04	PRETRIAL	26	11/11/04
0414390OD	OD	KUIVENHOVEN/MOLLY/BERNADET	DROVE INTOX	8/28/04	9/13/04	10/21/04	PRETRIAL	24	11/13/04
0414399SD	SD	BIS/JOSEPH/ANTHONY	DROVE INTOX	8/30/04	9/15/04	9/29/04	PRETRIAL	22	11/15/04
0414385SD	SD	MCDANIEL/SUSAN/GAYLE	DROVE INTOX	9/02/04	9/15/04	9/29/04	PRETRIAL	19	11/18/04
0414408SD	SD	MOREY/MICHAEL/ROBERT	DROVE INTOX	9/06/04	9/02/04	10/12/04	JURY TRIAL	19	11/18/04
0409402SD	SD	HESHER/CARRIE/JO	DROVE INTOX	9/07/04	9/07/04	9/22/04	PRETRIAL	15	11/22/04
0414449SD	SD	REMINGA/TERRY/JAMES	DROVE INTOX	9/08/04	9/27/04	9/27/04	ARRAIGNMENT	14	11/23/04
0414436SD	SD	CAMP/RAYMOND/ALAN	DROVE INTOX	9/11/04	9/13/04	9/29/04	PRETRIAL	13	11/24/04
0414468OD	OD	TREMBLAY/KYLE/JAMES	DROVE INTOX	9/12/04	9/13/04	9/29/04	ARRAIGNMENT	10	11/27/04
0414470SD	SD	MANSOURI/BRIAN/OMID	DROVE INTOX	9/16/04	9/16/04	9/27/04	ARRAIGNMENT	9	11/28/04
0414467OD	OD	GREEN/EDWARD/H	DROVE INTOX	9/16/04	9/16/04	9/29/04	PRETRIAL	5	12/02/04
0414466OD	OD	MCGAUGHEY/ANDREW/HERBERT	DROVE INTOX	9/16/04	9/16/04	9/30/04	PRETRIAL	5	12/02/04
0414502OD	OD	ELKANTAR/GHANDI/	DROVE INTOX	9/18/04	9/16/04	9/30/04	PRETRIAL	5	12/02/04
0414496OD	OD	MOORE/BRITTANY/CHRISTINE	DROVE INTOX	9/19/04	9/27/04	9/27/04	ARRAIGNMENT	3	12/04/04
0414515SD	SD	ZELLERS/BENJAMIN/LAWRENCE	DROVE INTOX	9/21/04	9/22/04	9/22/04	ARRAIGNMENT	2	12/05/04

TRAFFIC/CRIMINAL DRUNK DRIVING REPORT FOR JUDGE				NOT ASSIGNED					
CASE NO.	TYPE	NAME	CHARGE	ISSUE DATE	ARRAIGN DATE	NEXT ACTION DATE	NEXT ACTION	AGE	77TH DAY
0409225AOD	OD	HACKENBERG/DANIEL/JOSEPH	DROVE INTOX	8/31/04				21	11/16/04
49900024FY	FY	TAZ/DEVIL/	OPER INTOX	9/15/04				6	12/01/04

Query Reports

Along with the reports described above, the court can also create query reports to assist in determining caseflow problems. An example of a useful query is a listing of case adjournments. The court can also contact JMS to create query reports as needed.

Report Generator Options

✓ Case Selection

This is the most commonly used Traffic/Criminal Report Generator.

- There are two screens of field names, a total of 87 fields to choose from.
- Up to 35 fields of information can be **printed** on a report.
- A report will print seven fields of data on each line; the data will print on subsequent lines if more than seven fields are being printed.
- When printing an address, it will count as seven fields and always print on one full line.
- Defendant name, Victim/Desc, DLN and VIN all count as two fields.

The first screen contains mostly case information and is displayed below.

JIS		REPORT GENERATION SELECTION		5/11/04 15:14:06	
Title					
- Case Number	_____	- PIN Number	_____		
- Name	_____	- Address	_____		
- Case Type	_____	- Victim/Desc	_____		
- Status	_____	- Offense Date	_____ - _____		
- PD Judge	_____	- Offense Time	_____ - _____		
- Judge of Record	_____	- Issue Date	_____ - _____		
- Venue	_____	- Birthdate	_____ - _____		
- Phone Number	_____	- Authorize Dt	_____ - _____		
- Driver License	_____	- DLN State	_____		
- Attorney	_____	- Entry Date	_____ - _____		
- Prosecutor	_____	- Vehicle Type	_____ - _____		
- Agency #1	_____	- Agency #2	_____		
- Officer #1	_____	- Officer #2	_____		
- Accident/Injury	_____	- Plate# /Year	_____ - _____		
- Zip Code	_____	- Plate# State	_____		
- Original Charge	_____	- Current Charge	_____		
- Original SOS	_____	- Current SOS	_____		
- Original Att/Cons/Sol	_____	- Current Att/Cons/Sol	_____		
- Total F & C	_____ - _____	- Balance Due	_____ - _____		
- Civ/Misd/Fel	_____	- Filing Date	_____ - _____		
- CCW #	_____				
F24-Previous Menu		Page/Roll		Help	

1st screen of Case Selection report generator

See pages 11-9 through 11-13 for Report Generator Field Descriptions
 See pages 11-14 through 11-18 for Report Generator Selection Options

Use your **Page/Roll** keys to access the second screen.

The second screen of the Case Selection Report Generator contains mostly disposition information.

JIS		REPORT GENERATION SELECTION		5/11/04 15:14:55	
- Disposition	_____ - _____	- Close Date	_____ - _____		
- Xreference	_____	- Probation Officer	_____		
- CTN/TCN	_____	- SID	_____		
- Warrant Code	_____ - _____	- Next Action	_____		
- Warrant Date	_____ - _____	- Next Date	_____ - _____		
- Recall Date	_____ - _____	- Next Judge	_____		
- Arraignment	_____ - _____	- Non-Public	_____		
- Sex _____ Race _____		- Deferred	_____		
- Disposed Date	_____ - _____	- Sentence Date	_____ - _____		
- Disposed Code	_____ - _____	- FAC Date	_____ - _____		
- Plea Date	_____ - _____	- Rehab	_____		
- Plea Code	_____ - _____	- Prob End Date	_____ - _____		
- Suspension	_____	- Probation Term	_____ - _____		
- Suspension Days	_____ - _____	- Jail Term	_____ - _____		
- Restriction Days	_____ - _____	- Optional Jail Term	_____ - _____		
- Community Service	_____ - _____	- Jail Location	_____		
- Service in Lieu	_____ - _____	- Restitution	_____		
- Event Date	_____ - _____	- Event Code	_____		
- Event Term	_____	- Event Clerk	_____		
- Immob Start Date	_____ - _____	- Immob Days	_____ - _____	- Veh Forfeit	_____
- Paper Plate _____ VIN _____		- Vehicle Make	_____	- Veh Year	_____
F24-Previous Menu		Page/Roll		Help	

2nd screen of Case Selection report generator



Tips: Fields *with* a blank after them may be selected, printed or sorted (e.g., Case Type).

Fields *without* a blank after them may only be printed and sorted (e.g., Name).

You may print and select a range for fields with a "_____ - _____" after the field name.

See pages 11-9 through 11-13 for Report Generator Field Descriptions
See pages 11-14 through 11-18 for Report Generator Selection Options